

June 2002

Resolution on Protecting Libraries under the World Trade Organization's General Agreement on Trade in Services (GATS).

Whereas, the function of libraries is to provide services that support the public good and serve their local community.

Whereas, GATS includes all services unless they are specifically exempted.

Whereas, after the 1999 Seattle WTO Ministerial and in March 2001, the GATS draft document stated, "No service sector or mode of supply shall be excluded a priori" from negotiations, meaning all services sectors are open to liberalization.

Whereas, the WTO Dispute Settlement Panel has already rejected as legitimate objectives "safeguarding the public interest" and "cultural diversity".

Whereas, the GATS defines government services as "those supplied neither on a commercial basis nor in competition with other suppliers."

Whereas, libraries could be considered to be operating in competition with other service suppliers by engaging in fee-for-service arrangements and/or by operating in the same area of service provision as other service providers.

Whereas a foreign company providing the same or similar services as libraries in a particular market could claim the same treatment as libraries in that market under the national treatment guidelines of the GATS. Meaning that multinational corporations could claim subsidies-tax dollars-received by libraries, and the government may be forced to give similar subsidies (funding) to foreign corporations seen by the WTO as offering the same services as libraries, or to cut off the libraries' funding all together in order to treat both service providers equally.

Whereas, libraries will be included in the Agreement unless the federal government negotiates an explicit and specific exemption for libraries.

**THEREFORE BE IT RESOLVED THAT:** the American Library Association shall lobby the federal government to negotiate that libraries and library services be recognized as "services provided in the exercise of governmental authority" and be exempted from the disciplines of the GATS agreement.

Motion: Monika Antonelli, Councilor-at-Large  
Seconded: