

**RESOLUTION ON PROTECTING THE INTERESTS OF AMERICA'S LIBRARIES
UNDER THE WTO GENERAL AGREEMENT ON TRADE IN SERVICES**

- WHEREAS, The General Agreement on Trade in Services (GATS) among the Member governments of the World Trade Organization (WTO) addresses all services that are not specifically exempted;
- WHEREAS, The GATS excludes government services, which it defines as those “supplied neither on a commercial basis nor in competition with other suppliers;”
- WHEREAS, Interested parties and other WTO Members might argue that some services provided by publicly supported and non-profit libraries do not qualify as excluded government services;
- WHEREAS, A WTO Member may agree to comply with additional obligations under the GATS for services in those service sectors that the Member chooses to list on its schedule of specific commitments, including “National Treatment” obligations that require a WTO Member to provide foreign services and service suppliers no less favorable treatment than the Member provides to like domestic services and suppliers;
- WHEREAS, The United States government has listed “libraries” and other, related service sectors on its schedule of commitments and has agreed, with regard to subsidies, generally to comply with GATS National Treatment obligations;
- WHEREAS, Interested parties and other WTO Members might attempt to argue that the United States should, in accordance with its National Treatment obligations for subsidies, either eliminate government assistance for some services provided by publicly supported and non-profit libraries or offer equivalent support for similar services offered by foreign entities; and
- WHEREAS, The American Library Association wishes to ensure that the international obligations of the United States, under the GATS or otherwise, do not impair the ability of publicly supported and non-profit libraries to provide a full range of library services; and
- WHEREAS, The United States Trade Representative has advised ALA that his Office does not intend to diminish the role of public libraries in this country nor to diminish governmental support for libraries’ services, and that his Office will continue to engage in a dialogue with ALA on these issues; now, therefore, be it
- RESOLVED, That the American Library Association shall work with the Office of the United States Trade Representative, and otherwise lobby the federal government as necessary, to ensure that local, state and federal governmental bodies can support the efforts of publicly supported and non-profit libraries to serve the needs of America’s schools and communities for access to information in whatever forms and by whatever means technology may allow in coming years; and, be it further

RESOLVED, That the American Library Association shall work with the Office of the United States Trade Representative, and otherwise lobby the federal government as necessary, to ensure that publicly supported and non-profit libraries will be considered “services supplied in the exercise of governmental authority” (in accordance with Article I:3 of the GATS) and therefore outside the scope of the GATS; and, be it further

RESOLVED, That the American Library Association will share this resolution with the other national library associations and with the International Federation of Library Associations and Institutions.

Initiated by: COL and IRC

Endorsed in principle by: Social Responsibilities Round Table

Endorsed in principle by: IRC/IFLA Subcommittee

Endorsed in principle by: ACRL Copyright Committee

OITP Advisory Committee

Policy: 51.5

Prior History: None