

TPP Could Criminalize Journalism and Whistleblowing

250+ Tech Companies and Digital Rights Groups:

By [Washington's Blog](#)

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[Washington's Blog](#)

Region: [USA](#)

Theme: [Police State & Civil Rights](#)

Hundreds of tech companies and digital rights groups – including Imgur, DreamHost, Namecheap, AVG, Mediafire, Internet Archive, BoingBoing, Piwik, Private Internet Access, and more than 200 others – signed a letter to Congress today stating:

Criminalizing Journalism and Whistleblowing: TPP's trade secrets provisions could make it a crime for people to reveal corporate wrongdoing "through a computer system." The language is dangerously vague, and enables signatory countries to enact rules that would ban reporting on timely, critical issues affecting the public.

View the complete letter [here](#)

Dear Members of Congress,

We write to you as a community representing thousands of our nation's innovators, entrepreneurs, job-creators, and users to express our concern over trade agreements such as the Trans-Pacific Partnership (TPP). Despite containing many provisions that go far beyond the scope of traditional trade policy, the public is kept in the dark as these deals continue to be negotiated behind closed doors with heavy influence from only a limited subset of stakeholders.

The recently-introduced Fast Track bill (the Bipartisan Congressional Trade Priorities and Accountability Act of 2015, "the Bill") would not remedy the utter lack of transparency of the negotiation process, nor does it include any language to ensure that these deals would contain safeguards to protect our interests in freedom of expression and innovation online. These are just some of our specific concerns we have:

- **Threats to Fair Use:** The TPP contains language that could prevent countries from expanding exceptions and limitations to copyright. The Fast Track Bill also contains nothing to promote balance in copyright law. This is despite how much value fair use has added to the U.S. economy and could add for investors in the growing economies of our trading partners.
- **Expensive and Harmful Costs of Online Enforcement:** U.S. law incentivizes online content providers to take down content over a mere allegation of infringement. The TPP will likely emulate these rules, continuing to make it expensive and onerous for startups and small companies to oversee users' activities and process each takedown notice.
- **Criminalizing Journalism and Whistleblowing:** TPP's trade secrets provisions could make it a crime for people to reveal corporate wrongdoing "through a computer system." The language is dangerously vague, and enables signatory countries to enact rules that would ban reporting on timely, critical issues affecting the public.
- **Investor-State Courts Jeopardize User Protections:** The TPP Investment Chapter contains text that would enable corporations to sue nations over democratic rules that allegedly harm expected future profits. Companies can use this process to undermine U.S. rules like fair use, net neutrality, and others designed to protect the free, open Internet and users' rights to free expression online.

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