

EU/Australia, Canada, Japan, Korea, Mexico, Morocco, New Zealand, Singapore, Switzerland and United States Anti-Counterfeiting Trade Agreement (ACTA)

2011/0167(NLE) - 22/06/2012 - Committee report tabled for plenary, 1st reading/single reading

The Committee on International Trade adopted the report drafted by David MARTIN (S&D, UK) in which it declines to consent to the conclusion of the Anti-Counterfeiting Trade Agreement between the European Union and its Member States, Australia, Canada, Japan, Korea, Mexico, Morocco, New Zealand, Singapore, Switzerland and the United States of America.

To recall, ACTA is a trade agreement which addresses commercial-scale counterfeiting and online piracy by coordinating global enforcement of existing copyright violation laws. It is purported by the Commission that it will not require European legislation to be changed, but will coordinate procedures at borders to deal with large-scale counterfeiting. Counterfeiting and piracy have increased substantially and continue to do so.

The consequences of the growth in these illegal activities range from economic losses to health and safety dangers. The European Union has much to lose without efficient and enforced global coordination in copyright protection.

According to Members, Europe cannot compete in the global economy without adequate protection for European fashion, car parts, films and music. In this regard, international agreements dealing with any aspect of criminal sanctions, online activity or intellectual property must clearly define the scope of the agreement and the protection of individual liberties, in order to avoid unintended interpretations of the agreement.

The report states that the unintended consequences of the ACTA text is a serious concern. On individual criminalisation, the definition of commercial-scale, the role of internet service providers and the possible interruption of the transit of generic medicines, Members maintain doubts that the ACTA text is as precise as is necessary. The intended benefits of this international agreement are far outweighed by the potential threats to civil liberties.

Given the vagueness of certain aspects of the text and the uncertainty over its interpretation, Members consider that the European Parliament cannot guarantee adequate protection for citizens' rights in the future under ACTA.

Therefore, the committee recommends that the European Parliament declines to give consent to ACTA. It hopes the European Commission will therefore come forward with new proposals for protecting IP.