Declaration on the lack of a transparent process for the Anti-Counterfeiting Trade Agreement (ACTA) and potentially objectionable content

2010/2199(DCE) - 09/09/2010 - Written declaration

The European Parliament adopted a declaration on the lack of a transparent process for the Anti-Counterfeiting Trade Agreement (ACTA) and potentially objectionable content.

It notes that negotiations concerning the Anti-Counterfeiting Trade Agreement (ACTA) are ongoing, and that Parliament's co-decision role in commercial matters and its access to negotiation documents are guaranteed by the Lisbon Treaty. Accordingly, Members declare that the Commission should immediately make all documents related to the ongoing negotiations publicly available. They take the view that:

- the proposed agreement should not indirectly impose harmonisation of EU copyright, patent or trademark law, and that the principle of subsidiarity should be respected;
- the proposed agreement should not force limitations upon judicial due process or weaken fundamental rights such as freedom of expression and the right to privacy;
- economic and innovation risks must be evaluated prior to introducing criminal sanctions where civil measures are already in place;
- internet service providers should not bear liability for the data they transmit or host through their services to an extent that would necessitate prior surveillance or filtering of such data.

Lastly, Parliament points out that any measure aimed at strengthening powers of cross-border inspection and seizure of goods should not harm global access to legal, affordable and safe medicines.