



PRESS RELEASE

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EP gives wrong message to the Commission ahead of final ACTA negotiations, say Stavros Lambrinidis and Françoise Castex

A progressive resolution on the Anti-Counterfeit Trade Agreement (ACTA), supported by the European Parliament's Socialists, Greens, ALDE and leftist group GUE/ NGL, did not find a majority in the House's plenary vote, today in Strasbourg.

According to **MEPs Lambrinidis (S&D, Greece), Castex (S&D, France)**, co-signators of the Written Declaration 12 on ACTA, the resolution finally adopted, with the support of the Conservatives, its splinter group ECR and the Liberals, does not exert the right amount of pressure to the Commission to negotiate for the inclusion of safeguards for fundamental rights.

"The European Right today succumbed to the demands of a few governments and industry lobbies to the detriment of European citizens' fundamental rights.

We regret that all provisions in the resolution seeking to ensure the safeguarding of European citizens' fundamental rights have been cynically rejected by the Conservatives. In spite of their desires, the European laws protecting fundamental rights and privacy, especially on the internet, fully apply and must be fully respected by the Commission in the final ACTA text. This principle is also fully reflected in Parliament's March resolution and Written Declaration 10/12, which retains its full force.

Furthermore, we are concerned that the vague definition of commercial scale in ACTA coupled with an obligation to improve criminal enforcement sanctions in the event of IPR infringements in the digital environment may encourage parties to the agreement and private companies to adopt legislation and practices which will effectively lead to the surveillance and potential criminalisation of millions of private users and intermediaries. EU, as a signatory to ACTA, cannot introduce personal searches and "three-strikes" laws or similar provisions.

The Commission should conduct an impact assessment, well before initialling the Agreement, on fundamental rights and data protection, on the ongoing EU efforts to harmonise IPR enforcement measures, and on E-Commerce Directive".

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