EUROPEAN PARLIAMENT 2009 - 2014

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WRITTEN DECLARATION

pursuant to Rule 123 of the Rules of Procedure

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

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

The European Parliament,

– having regard to Rule 123 of its Rules of Procedure,

A. whereas negotiations concerning the Anti-Counterfeiting Trade Agreement (ACTA) are ongoing,

B. whereas Parliament's co-decision role in commercial matters and its access to negotiation documents are guaranteed by the Lisbon Treaty,

1. Takes 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;

2. Declares that the Commission should immediately make all documents related to the ongoing negotiations publicly available;

3. Takes the view that 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;

4. Stresses that economic and innovation risks must be evaluated prior to introducing criminal sanctions where civil measures are already in place;

5. Takes the view that 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;

6. 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;

7. Instructs its President to forward this declaration, together with the names of the signatories, to the Commission, the Council and the parliaments of the Member States.