European Parliament: Vote against ACTA

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Catherine Jasserand
Institute for Information Law (IViR), University of Amsterdam

On 4 July 2012, the European Parliament rejected the Anti-Counterfeiting Trade Agreement (ACTA). During the plenary session, 478 Members of the Parliament voted against, 165 abstained and 39 voted in favour. Previously, five parliamentary committees had given a negative opinion on the treaty: the International Trade Committee, the Industry, Research and Energy Committee, the Legal Affairs Committee, the Civil Liberties, Justice and Home Affairs Committee and the Development Committee. The European Parliament also received a petition against ACTA signed by more than 2 million people.

In application of Article 207 (4) and 218 (6) of the Treaty on the Functioning of the European Union (TFEU), the European Parliament had to give its consent to the conclusion of ACTA by the EU Council. The European Parliament could only approve or reject the treaty but was not able to make any changes to the text.

In May 2012, the European Commission officially referred ACTA to the Court of Justice of the European Union (CJEU) to rule on the compatibility of the Treaty with EU acquis and Fundamental Rights (see IRIS 2012-4/3). Without waiting for the CJEU's ruling, the European Parliament rejected the conclusion of the Treaty.

As a consequence of the European Parliament's vote, the European Union cannot ratify ACTA. However the European Commissioner in charge of Trade has announced that the European Commission will still seek the legal opinion of the CJEU on the compatibility of the treaty with the EU acquis and fundamental rights. The European Commission plans to take into account the Court's opinion and consult its international partners to decide how to move forward to protect intellectual property at international level.

European Parliament legislative resolution on the draft Council decision on the conclusion of the Anti-Counterfeiting Trade Agreement, 4 July 2012

http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0287+0+DOC+XML+V0//EN&language=EN

Statement by EU Trade Commissioner Karel de Gucht on European Plenary Vote on ACTA

http://europa.eu/rapid/pressReleasesAction.do?reference=IP/12/791&format=HTML&aged=0&language=EN&guiLanguage=en

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