

KEITH TAYLOR
Green Party
for the South East of England



31st January 2012

Dear _____,

Thank you for writing to me about the Anti-Counterfeiting Trade Agreement (ACTA). Like SOPA and PIPA in the US, ACTA is extremely worrying, and is much closer to home. With the decision to sign the agreement by the EU Council of Ministers at the end of 2011 the European Parliament is now starting its Consent Procedure. The news that on Thursday 26th January the EU and 22 Member States, including the UK, signed the agreement is very alarming. But the treaty still needs the European Parliament's consent before it can be enacted, which means that **MEPs have not yet finally voted on the agreement**. The Greens/EFA Group in the European Parliament, of which I am a member, issued the following press release on Thursday, condemning the signing of this controversial agreement: <http://www.greens-efa.eu/digital-and-fundamental-rights-acta-5206.html>

My colleagues in the Greens/EFA Group and I are deeply concerned by both the **content of the draft text** and also the **process** by which the agreement is being adopted. For this reason, not only will I vote against ACTA when it is put before Parliament, but the Greens/EFA will be fighting to ensure that the agreement is not adopted until Parliament has been properly consulted and that the protection of the fundamental rights of EU citizens can be assured.

I share your concerns regarding the potential impact of ACTA on European citizens' fundamental rights. In 2010 I supported Written Declaration 0012/2010 on 'the lack of a transparent process for the Anti-Counterfeiting Trade Agreement (ACTA) and potentially objectionable content'. As you may well be aware, this Written Declaration was adopted by the European Parliament in September 2010 and in November 2010, the Greens/EFA Group tabled a resolution in Plenary which you can find here:

<http://www.europarl.europa.eu/sides/getDoc.do?type=MOTION&reference=B7-2010-0617&language=EN> Unfortunately it was not adopted, which is why we have to continue to fight.

You might also be happy to know that the Greens/EFA Group have commissioned a study on the compatibility of ACTA with the European Convention on Human Rights & the EU Charter of Fundamental Rights, <http://rfc.act-on-acta.eu/fundamental-rights>. We have also commissioned a study on ACTA and Access to Medicines, which you can see here: <http://rfc.act-on-acta.eu/access-to-medicines>. These studies try to compensate for the lack of proper impact assessments the Commission promised to make, but never delivered.

The lack of transparency in the negotiations and drafting process to date is alarming, particularly given ambiguous wording of several sections of the draft document. We have major concerns about the use of the unknown term 'fair process' as opposed to the well known concepts 'due process' and 'fair trial' which have protected citizens' rights for centuries. Several MEPs have formally submitted questions asking the Commission to clarify what these ambiguous terms mean and how they are expected to be interpreted by the European Court of Justice. However, the Commission's answers have not alleviated our concerns as many of them refer to documents which have not been made public. The Commission has made a document compiling

all questions it has received on ACTA, which you can access at
http://trade.ec.europa.eu/doclib/docs/2011/april/tradoc_147852.pdf

The European Parliament is now about to start dealing with the question whether to give or whether to withhold consent to ACTA. Most crucial will be the committees LIBE (civil liberties), DEVE (development) and INTA (international trade - leading committee on ACTA). **I am a member of INTA and will be voting against ACTA**, and will be leaning on my INTA colleagues to do so too.

If you want to help, we suggest you contact especially liberal and social-democrat MEPs in these committees, as it is not clear yet how these political groups will vote in the end. Your request to them can make a real difference.

Thank you once again for writing to me on this important matter, and please rest assured that the Greens/EFA group will continue to fight both the content of ACTA and the lack of transparency in the process. If you have any further questions, please do not hesitate to get back in touch.

To see more about the work that I do in the European Parliament please visit my website:
<http://www.keithtaylormep.org.uk>

Yours sincerely,

A handwritten signature in black ink that reads "Keith Taylor". The signature is written in a cursive style with a long horizontal stroke underneath the name.

Keith Taylor - Green Party MEP, South East England.