

*Dear Mr. Chairman,
Honourable colleagues,*

On 26th January 2012, the EU, together with 22 Member States, signed the Anti-Counterfeiting Trade Agreement (ACTA) in Tokyo. The five remaining Member States are expected to add their signatures in the coming weeks. They were not in a position to do so last week either because of the minimum time required for completing their internal procedures, or because they did not currently have an ambassador in Tokyo and will therefore need to send an envoy.

In the last few days, some parts of civil society have intensified their campaign against this agreement. As we have seen before, and despite the European Commission's efforts to provide all the relevant facts, the action they take is based on misinformation, or possibly even worse, on wilful misinterpretation of the content of the agreement. This is all the more striking given the fact that ACTA does not change existing EU rules in this area.

In particular, comparisons are being made with draft legislation that was recently discussed, then withdrawn in the US Congress, and which differs very significantly from ACTA both in substance and the actual measures proposed. I refer in this respect to the argumentaires attached to this letter.

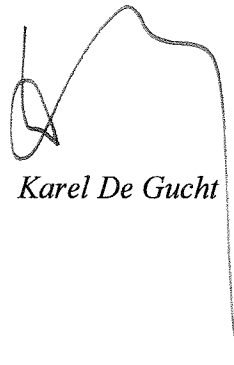
As you are aware, the European Parliament is only officially seized to decide on consent once, after signature, the Council transmits this Treaty to the Parliament. The signature of ACTA is therefore indispensable for Parliament to exercise its role and marks the beginning of a democratic process that will allow you to express your view on this Treaty.

I believe it is important that Members of Parliament take a position based on full information. Presently, ACTA opponents are trying to press Members of the Parliament to take a position now against it before your Committee and the Parliament has had a chance to debate it and take a considered view of its merits. This is not the time to jump precipitously to a conclusion simply on the basis on the number of emails received or in response to organised attacks to websites, such as your own, notwithstanding the amount of media attention such action attracts.

*Prof. Vital Moreira, MEP
Chairman of the EP Committee on International Trade
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During the consent procedure in the INTA committee on this file, you – as the legitimate representatives of people all over Europe – will have the opportunity to listen to all arguments and, most importantly, determine your position on the basis of facts. I intend to participate myself in that debate with you and remain ready to provide all that you need to allow you to take an informed position on this file. I look forward to discussing this Treaty with you at the upcoming workshop on 1 March.

Yours sincerely,

A handwritten signature in black ink, consisting of a stylized 'K' followed by a long, sweeping horizontal line that ends in a vertical drop.

Karel De Gucht

*Encl: 1. "10 Myths about ACTA"
2. "ACTA Arguments"*

*Cc: Juan Fernando López Aguilar, MEP, Chairman of the EP Committee on Civil Liberties, Justice and Home Affairs
Members of the EP Committee on International Trade*