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[Press release](#) | 29.02.2012

## Anti-counterfeiting Trade Agreement (ACTA)

### Commission president must clarify procedure and timing on ACTA ratification and ECJ referral

Greens/EFA co-presidents Dany Cohn-Bendit and Rebecca Harms today [wrote to Commission president Barroso](#) (1), asking him to clarify the announcement that the Commission will refer the controversial Anti-counterfeiting Trade Agreement (ACTA) to the European Court of Justice for a legal opinion (2). Commenting on the initiative, **Dany Cohn-Bendit** and **Rebecca Harms** said:

*"While the Greens have long called for ACTA to be referred to the ECJ, there are serious concerns about the motives of Commission's belated move, both as regards the timing and the procedure chosen. For this reason, we believe Commission president Barroso needs to clarify the Commission's position.*

*"The Commission seems to have woken up very late to the concerns that have been raised for some time by EU citizens, civil society, the Greens and others. This referral must not be used to cynically stall the political process.*

*"There are also issues with the procedural approach of the Commission. Despite the fact that the ratification process for ACTA has already started in the EP, there has been no official communication to the parliament of the announced referral. Given the ratification process is underway, the EP should be fully involved in any referral. This implies that parliament should also have a role in setting the terms that the ECJ should consider. The concerns with ACTA go far beyond its mere compatibility with the EU treaty.*

*"It is also important to reiterate that the result of a legal evaluation will not replace the political procedure for verifying this agreement and assessing its far-reaching consequences however. The European Parliament and national parliaments will continue to scrutinise ACTA as part of the ratification process. Regardless of the outcome of an ECJ evaluation, the Greens believe ACTA is politically wrongheaded."*

(1) Click to view [the letter](#).

(2) See Commission announcement: <http://trade.ec.europa.eu/doclib/press/index.cfm?id=778>

Green statement: <http://www.greens-efa.eu/acta-5394.html>

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Rebecca Harms

Member

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