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The need for a Council of Europe Convention on the Suppression of Counterfeiting and Trafficking in Counterfeit Goods

Motion for a recommendation
presented by Mr Schreiner and others

This motion has not been discussed in the Assembly and commits only the members who have signed it

1. The traffic in counterfeit goods is a scourge that is growing to epidemic proportions in the wider Europe, in both the range and volume of goods involved, representing some € 500 billion at the end of 2005 and growing at an estimated rate of 20 per cent every year.
2. As the Parliamentary Assembly pointed out in its Recommendation 1673 (2004) on *Counterfeiting: problems and solutions*, counterfeiting is “a phenomenon which places customers’ health and well-being at risk, erodes the markets for legitimate producers, damages the reputation of brand names, distorts competition, undermines employment and reduces tax income”. It is also closely associated with organised crime, money laundering and drug trafficking and thus threatens the security of all citizens under the jurisdiction of Council of Europe member states.
3. The Parliamentary Assembly welcomes the work carried out in this field by the European Patent Office. It also welcomes the intergovernmental work in progress at the Council of Europe, in coordination with the World Health Organisation and the European Union in particular, with a view to the suppression of counterfeit medicines and pharmaceutical and healthcare crime, if possible by means of a Council of Europe Convention.
4. Nevertheless, the Assembly regrets that, as indicated by the Committee of Ministers in its reply to Recommendation 1673 (2004), “apart from the Council of Europe activities on counterfeit medicines, the organisation is not presently active in this field”.
5. The Assembly considers that the rapidly deteriorating situation throughout the wider Europe would justify Council of Europe action to suppress counterfeiting and trafficking in counterfeit goods of all kinds as a matter of urgency.
6. The Parliamentary Assembly therefore recommends that the Committee of Ministers:
 - i. instruct the competent intergovernmental committee to prepare, in consultation with the European Union, a Council of Europe Convention on the Suppression of counterfeiting and trafficking in counterfeit goods;
 - ii. take steps to increase awareness of the dangers that counterfeiting represents to the safety and security of all European citizens;
 - iii. take steps to frame a European policy for the technical prevention and deterrence of counterfeiting, indispensable for demonstrating legal proof and for the application of suppressive measures.

Signed (see overleaf)

Signed ¹:

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¹ SOC: Socialist Group
EPP/CD: Group of the European People's Party
ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democratic Group
UEL: Group of the Unified European Left
NR: not registered in a group