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(Information)

COUNCIL

COUNCIL RESOLUTION

of 13 March 2006

on a customs response to latest trends in counterfeiting and piracy

(2006/C 67/01)

THE COUNCIL OF THE EUROPEAN UNION,

1. RECALLING the objectives set by the Lisbon Strategy, as relaunched by the European Council of 22 and 23 March 2005, for the Union 'to renew the basis of its competitiveness, increase its growth potential and its productivity and strengthen social cohesion, placing the main emphasis on knowledge, innovation and the optimisation of human capital';
2. UNDERLINING that the strategic objective set by the European Council can only be achieved through a well-functioning internal market with adequate measures to encourage investment in the knowledge-based economy;
3. RECOGNISES the threat posed by the serious growth in counterfeiting and piracy to the Union's knowledge-based economy and in particular to health and safety, as well as the key responsibility of customs in protecting the economy and consumers from this threat;
4. EMPHASIZES that efficient and uniform customs controls to protect legitimate business from unfair competition and knowledge theft are essential to protect Community interests and to counter the risk of distortion of competition. With customs being responsible for the large majority of fake goods seized and having seen customs seizures in the EU increase in the last five years by more than 1000 %, further practical improvements in customs controls will strengthen the protection offered to the economy and consumers;
5. STRESSES the need to ensure that customs controls and co-operation measures provide maximum protection to the economy and consumers from this dangerous traffic and RECOGNISES that this represents a major challenge which requires improved customs techniques. Meeting this challenge represents, at the same time, a valuable contribution toward promoting fair trade, safeguarding Community and national revenues, protecting consumers and combating organised crime and money laundering;
6. WELCOMES the Commission Communication on a customs response to counterfeiting and piracy ⁽¹⁾ (hereinafter the Communication), in particular
 - the concrete actions to improve customs controls, in particular via the increased exchange of risk management techniques and information, and to strengthen international co-operation, notably with main exporting countries and relevant international organisations;

⁽¹⁾ COM(2005) 479 final.

- the need to build and promote a strong customs-business partnership, based on commitment from both sides, in tackling the problem of counterfeit and pirated goods;
 - the approach taken to tackling the growing problem of fake goods, in particular those which pose a health and safety risk, via a comprehensive EU Action Plan building on the Communication's concrete actions;
7. INVITES the Commission to
- present appropriate proposals to support the implementation of the approach set out in the Communication, paying special attention to enhancing the information exchange both between customs and between customs and operators involved in combating counterfeiting and piracy;
 - to report on the implementation of the Communication and the actions set out therein as part of the annual report foreseen in Article 23 of Council Regulation (EC) No 1383/2003 ⁽¹⁾;
8. INVITES the Commission and the Member States, within their respective competencies, to implement the comprehensive approach set out in the Communication thereby further improving customs controls and co-operation in order to combat the growing menace of counterfeiting and piracy.
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⁽¹⁾ Council Regulation (EC) No 1383/2003 of 22 July 2003 concerning customs action against goods suspected of infringing certain intellectual property rights and the measures to be taken against goods found to have infringed such rights, OJ L 196, 2.8.2003, p. 7.