

# Lawmakers adopt bill to punish Internet piracy

May 12 2009, By EMMANUEL GEORGES-PICOT , Associated Press Writer

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(AP) -- French lawmakers in the lower house on Tuesday passed a bill that would cut the Internet connections of those who repeatedly download music and films illegally, creating what may be the first government agency to track and punish online pirates.

The bill passed 296 to 233 in a show of force by President Nicolas Sarkozy's governing conservatives after an initial failure last month.

The Senate was likely to definitively pass the measure Wednesday. But even then, the battle will be far from over.

The bill defies a [European Parliament](#) measure passed last week prohibiting EU governments from cutting off a user's Internet connection without first passing through a court of law. That still needs a final stamp after negotiations with the European Council.

The legislation by Sarkozy's government is hotly opposed by the rival Socialists as well as militants who claim that it will quash freedoms by denying accused Internet pirates the right to challenge the charges against them. Others fear it will pave the way for Big Brother-style intrusions by the government into citizens' private lives.

But international music labels, film distributors and artists have hailed the bill as a decisive step in combatting online piracy in France, where CD and DVD sales have plummeted 60 percent in the past six years.

The measure, sponsored by Culture Minister Christine Albanel, would introduce a "graduated riposte" for those pirating music and films.

Warnings to culprits would begin with two e-mails followed by a certified letter. If the piracy continues within the following year, Internet access could be cut for a period of two months to a year - while the user keeps paying for the service.

The bill would create a government agency to sanction offenders, leaving monitoring efforts to entertainment industry watchdogs.

Legal experts say such an agency could be the first of its kind in the world, noting that the French bill also represents the first time a government has threatened to sever Internet connections in the battle against online piracy.

"Most places have left it to the realm of civil litigation," said law professor Wendy Feltzer, a fellow at Harvard University's Berkman Center for Internet and Society.

Feltzer said that despite its novel approach, the French bill is ill-adapted to the digital age.

"It's backward to so much of how the Internet has been developed," she said. "It's trying to retain a business model that is already evolutionarily behind the times."

Critics say the law misses the point, targeting traditional downloads at a time when online streaming is taking off, for example.

Others contend that users downloading from public Wi-Fi hotspots or using masked IP addresses might be impossible to trace.

"The law is ineffective, inapplicable and dangerous," said Jeremie

Zimmerman, who heads a Paris-based Internet freedom activist group.

The bill failed in an April 9 vote attended by only a handful of lawmakers - a political embarrassment for Sarkozy who had made its passage a personal priority.

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Associated Press Writer Scott Sayare in Paris contributed to this report.  
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