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Press release | 15.09.2009

Internet - copyright

Greens regret French national assembly adoption of 'Hadopi' law

Today, the French National Assembly adopted a modified version of controversial 'Hadopi' legislation against online copyright infringement. (1) The approved 'Hadopi 2' law now sets out a simplified procedure with a single judge to examine the charges brought by the administrative agency. It retains controversial aspects of the original proposal: harsh financial penalties and the option to withdraw Internet access.

Daniel Cohn- Bendit , President of the Greens/EFA group and **Helga Truepel**, Vice Chairman of the European Parliament's Culture Committee, commented:

"We regret the French National Assembly's decision, which officially advocates the penalty of barring Internet access. When the European Parliament voted on the EU telecoms package of legislation, we supported the maintenance of Amendment 138. (2) We stand firm on our demand: there must be no withdrawal of an internet connection without a prior judicial decision. We remain opposed to the 'Hadopi' law, even in its modified form, because it still fails to provide for a fair trial and goes against the principle of presuming innocence.

The Greens call for copyright to protect cultural and creative content from being posted on the Internet against the will of its creators. The penalties foreseen in 'Hadopi 2' will do nothing to resolve the conflicting interests of different groups. We call for the development of a new copyright system that will respect the rights of artists, without curbing the potential of the Internet. Freedom of communication, the presumption of innocence and a meaningful role for the courts must not be compromised."

Notes to editors

(1) 285 representatives voted for the modified legislation proposal and 225 against. The French Constitutional Court rejected the original legislation proposal because the penalties set out in the draft legislation were seen to endanger basic rights and principles, such as freedom of expression and the presumption of innocence. In the first version of the so-called "graduated response" approach, an executive agency "Hadopi" would have effectively had the power to order suspension of an internet users' connection after two warnings, without the need for any involvement by a judicial authority.

(2) Cohn-Bendit/Bono amendment against 'graduated response'.

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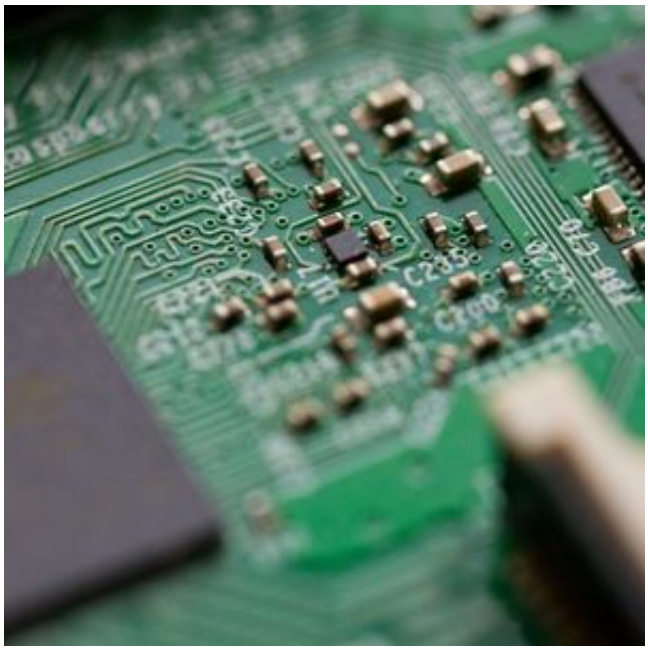


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