[FR] ARCOM obtains the blocking of access to the *watchpeopledie* website from France

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In an application based on Articles 6, 6(3) and 6(4) of the Law of 21 June 2004 on confidence in the digital economy (LCEN), ARCOM brought an action before the president of the Paris Court of first instance in an expedited procedure on the merits, requesting that the main internet service providers (Orange, Free, Free Mobile, SFR, SFR Fibre, Bouygues Telecom) be ordered to take all appropriate measures to prevent access from French territory to the *watchpeopledie.tv* website. It maintains that this site is dedicated to the broadcasting of images of deliberate attacks on the integrity of the person and violent messages contrary to dignity, accessible to minors, as well as to the broadcasting of recordings of images relating to the commission of offences of deliberate attacks on the integrity of the person, likely to fall within the scope of articles 227-24 and 222-33-3 of the French Criminal Code.

The presiding judge noted that the site, which claimed to be for "adults only", did not in fact carry out any age verification, as access was based on a simple self-declaration. He noted, in the light of the documents produced by ARCOM and the Pôle national de lutte contre la haine en ligne, that the site was exclusively dedicated to the dissemination of videos, classified under different categories, depicting acts of torture, mutilation, performance, suicide and assault, sometimes in connection with terrorist organisations.

These extremely violent images, which focus on showing the bloody nature of the scene and the suffering of the tortured or murdered people, are clearly a serious and definite attack on human dignity and, in the absence of effective age control, are likely to constitute the offence of torture and the offence of broadcasting a violent message or one likely to cause serious harm to human dignity perceptible to a minor, as provided for and punishable under Article 227-24 of the French Penal Code, as well as other offences (broadcasting images of attacks on integrity, apology for terrorism, incitement to suicide, etc.). The disputed content therefore constitutes damage within the meaning of Article 6-3 of the LCEN, which must be brought to an end.

Noting the absence of legal notices identifying the person responsible for the site, the lack of any reaction to ARCOM's notifications and the fact that the site was hosted abroad by a service provider that did not respond to requests from the

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French authorities, the court ruled that it was difficult to take effective action against the publisher or host within a time frame compatible with the seriousness of the damage.

It considered, in the light of Article 6 IV-A of the LCEN, which requires Internet Service Providers (ISPs) to contribute to the fight against offences against human dignity and certain offences, that ISPs, although subject to the principle of neutrality, are in a position to contribute to the cessation of the damage and that the requested blocking is appropriate, necessary and proportionate to the legitimate aim pursued, namely the cessation of this particularly serious damage, while respecting freedom of expression. As the site does not contain any information or opinions that contribute to a debate of general interest, but only extremely violent images that offend human dignity and are likely to shock a young audience, the restriction on freedom of communication appears justified.

ISPs are therefore enjoined to implement, within a fortnight, all appropriate measures to prevent access from French territory to the *watchpeopledie.tv* and *www.watchpeopledie.tv* websites and their subdomains, for a period corresponding to the persistence of the dissemination of illegal content, with the costs of these measures to be borne by the ISPs. The measures may be lifted at the request or with the agreement of ARCOM if the damage ceases. The anti-cybercrime office will be able to send its requests to the access providers in the case, in order to prevent access to any mirror site, in accordance with Article 6-4of the LCEN.

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https://www.doctrine.fr/d/TJ/Paris/2025/U7D87205DD8A94CBBA10E

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