[FR] First Results of the “Olivennes Mission”

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Amélie Blocman
Légipresse

On 12 October 2007, Denis Olivennes, who has been in charge of a mission “to combat illegal downloading” since 5 September 2007 (see IRIS 2007-9: 14), submitted a progress report to the Minister for Culture. The members of the mission have interviewed representatives of economic beneficiaries, Internet access providers (IPs), consumers and distributors of content, and all have confirmed their desire to achieve a common solution that would make it possible to both prevent piracy, and further develop the level of offer of lawful content.

More specifically, the positions set out during these talks converged on three points of consensus. In the first instance this involved the implementation of a warning system in the event of unlawful downloading (inspired by examples in other countries, particularly the USA and the UK), and penalties in proportion to the gravity of the acts committed in the event of further infringements. However, the actual ways in which these mechanisms are implemented, and more particularly the distribution of responsibilities between the representatives of the economic beneficiaries, the IPs and the public authorities, still need to be decided upon.

The IPs have already made it known that they refuse to “police” their subscribers (although the representatives of the economic beneficiaries are in favour of this) and are calling for the creation of a dedicated public body for this purpose. The second point of consensus concerned the search for greater flexibility, in favour of consumers, in the methods for the lawful downloading of files, particularly in terms of interoperability and the rapidity of making works available (media chronology). On this point, Denis Olivennes stated that the economic beneficiaries, in contrast to the IPs, were still divided as regards the measures and the appropriate point in time for introducing them. Lastly, the third point of agreement concerns the need to take the work further in respect of the issue of filtering unlawful content, which appears to be a promising way forward although it still involves substantial technical and legal uncertainties.

The Minister for Culture has already welcomed the initial results of this consultation. She hoped that it would be possible to reach an agreement as soon as possible, which would satisfy all the parties concerned. At the same time, she called on the Internet provider, Free, to be more active in combating piracy. The file-sharing service, dl.free.fr has, has for some time, offered the possibility of carrying much larger files, hence reducing the time taken to download a film to

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just a few minutes. The Minister commented that, even it was not set up with this purpose in mind, the service provided by Free did in fact enable Internet users to download pirated content anonymously and on a massive scale on dl.free.fr, and she called for the effective restriction of access to this service to closed communities, or even for its closure. “Unless basic protective measures are taken, then these services are tools offered to Internet pirates free of charge”, the Minister concluded.

Christine Albanel se félicite des premiers résultats de la “mission Olivennes”, 12 octobre 2007

http://www.culture.gouv.fr/culture/actualites/communiq/albanel/resultats_mission_olivennes.html

Christine Albanel welcomes first results of the “Olivennes mission”, 12 October 2007

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