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French Government Lobbied to Ban Free Software

November 25, 2005, for immediate release - This is not a insane joke

Friday November 18th, 2005, French Department of Culture. SNEP and SCPP have told Free Software authors: "You will be required to change your licenses." SACEM add: "You shall stop publishing free software," and warn they are ready "to sue free software authors who will keep on publishing source code" should the "VU/SACEM/BSA/FA Contents Department"[1] bill proposal pass in the Parliament.

It appears that publishing Free Software giving access to culture is about to become a counterfeiting criminal offence. Will SACEM sue France Télécom R&D research labs for having published Maay and Solipsis (P2P pieces of software used to exchange data)[2]?

Up to this point, the rather technical debate surrounding the issues addressed by DADVSI bill (copyright and neighbouring rights in the information society) makes one ask: Just how much control do the Big Players in the field of culture want to seize? It now looks like years of quibbling have put an end to compromises.

What should have been the last meeting of CSPLA[2] Sirinelli Commission turned into an arranged battle dealing with the "VU/SACEM/BSA/FA Contents Department" bill. EUCD.INFO[4] cofounder Christophe Espern, representing Creative Commons France, had to argue for 13 hours to defend the right of Free Software to exist, but he lost the argument. The preliminary conclusions seem to regret that the bill "cannot be proposed by CSPLA in before the deadline." Maybe the new meeting scheduled today, November 25th, 2005, at 6:30pm, in the offices of the French Department of Culture, aims to impose the text ? [*]

"Havoc is breaking loose," says Christophe Espern. "How can people possibly both pretend to defend culture and then want to ban the only software giving universal access to it? Actually, the contradiction may be only superficial: I think what they are truly after is the control of the public... culture is just a excuse."

Absurd as it may seem, the DADVSI bill will bring an indifferent public a surprise gift [5] for Christmas nothing less than complete Orwellian control of digital culture.

We could avoid this disaster if the cabinet of Prime Minister started by declaring the DADVSI bill a non emergency issue. This would give the democratic debate a chance. [*] The Sirinelli Commission adopted the bill proposal. This one will be examined during the next plenary session of the CSPLA (December the 7th).

References

- [1] [VU/SACEM/BSA/FT bill](#)
- [2] Maay and Solipsis
- [3] The Sirinelli Commission is a specialised commission part of the Conseil supérieur de la propriété littéraire et artistique (CSPLA, Artistic and Literary Property High Council). Its mission is to ponder the possible responsibility of some intermediaries that would encourage or promote counterfeiting by providing means or information on means and methods (<http://www.culture.gouv.fr/culture/cspla/oeuvrinternet.htm>).
- [4] EUCD.INFO : www.eucd.info
- [5](#)

Notes about the organisations

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- SACEM is the main company dealing with collective copyright management for music in France. French RIAA.
- SNEP (Syndicat National de l'Édition Phonographique, national syndicate of phonographic publishing), was created in 1922. Spokesman for its 48 members, it represents them towards the government, the MP, the administration, other professional bodies, the media and the public.
- SCPP (Société Civile des Producteurs Phonographiques, civil company of phonographic editors), gathers the money collected towards the users of phonograms and videomusic users and redistributes it to its members (more than 800 producers, including many independent producers and the main international companies such as Sony BMG, EMI, Universal, and Warner). It weighs more than 80% of the copyrights perceived by the French producers.
- FT - France Telecom, headquartered in Paris, France, is the former monopoly provider in France and one of the largest provider of telecommunications in the world.
- BSA - Business Software Alliance is an organisation founded in the USA and currently without official status in most European countries, controlled by Microsoft and a few other large members.
- VU - Vivendi Universal is one of the major players in the area of media and telecommunications: entertainment creation and broadcasting, production and broadcasting of films, music, and games (PC and console-based).

About Free Software Foundation France

The FSF France (<http://www.fsffrance.org/>) is a non-profit organization dedicated to all aspects of Free Software. Access to software determines who may participate in a digital society. Therefore the freedoms to use, copy, modify and redistribute software - as described in the Free Software definition - allow equal participation in the information age. Creating awareness for these issues, securing Free Software politically and legally, and giving people freedom by supporting development of Free Software are central issues of the FSF France.

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