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e-G8 Forum : Much Ado About Nothing…(ou comment la montagne accouche d'une souris)

Catherine Jasserand (Institute for Information Law (IViR)) · Friday, June 10th, 2011

On the 24th and 25th of May, the French President Nicolas Sarkozy convened a forum on the future of the Internet, the e-G8 Forum, two days before the Meeting of the leaders of the G-8. This forum was intended to prepare the G-8 communiqué on the measures that Governments should adopt to protect children online, enhance online privacy and fight digital copyright piracy.

But even before the Forum had started, a draft communiqué had leaked in the New York Times and raised some concerns among civil society representatives that feared that the message would strongly support more regulations to the detriment of the freedom of expression and right of privacy. One cannot but notice that during the two days of the Forum civil society representatives were quite absent from the debates, to the exception of John Barlow, Co-founder of the Electronic Frontier Foundation (EFF), who was a last minute guest on the panel dedicated to Intellectual Property. On the eve of the e-G8, representatives of civil society around the world (including EFF, Open Source Initiative but also Reporters Sans Frontières, La Quadrature du Net) signed a statement to promote Internet freedom, digital rights and open communication. The e-G8 Forum supposed to prepare the G-8 meeting was indeed led by and intended for representatives of big Internet companies such as Google, Facebook, Amazon, eBay but also main Internet service providers and representatives of the cultural (film, music and publishing) industry.

If after two days of debates, the participants to the Forum claimed for a more open web environment leading to free competition and asked for some precaution before further regulating the Internet, the official statement adopted by the G-8, and entitled "renewed commitment for freedom and democracy, is quite different. It encourages Governments to take strong measures to protect intellectual property, such as the adoption of national laws and frameworks to ensure the enforcement of the measures (see Section II, Internet, paragraph 15 of the declaration).

So what can be concluded from this e-G8? Even if Nicolas Sarkozy has expressed his wishes to "institutionalize" this Forum and renew it every year, what is in the end its added value? First of all, to ensure a balanced and neutral debate on intellectual property in the digital age, the voice of civil society representatives should be heard as much as the voice of representatives of the Internet and cultural industry. Then, the conclusions and recommendations of the Forum should be followed by the G-8. For the current version of the e-G8 Forum, one can also regret that the French Government did not hear better the criticisms against the HADOPI law, which is stillborn for Lawrence Lessig and a silly law for the founder of SFR, a major internet service provider.

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