ACTA has same dangers as PIPA and SOPA

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If you thought the Stop Online Piracy Act and the Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act were scary, imagine this: There is an international treaty with the same goals and civil rights infringements as its American cousins, crafted in secrecy outside any existing trade organization with the help of industry giants such as the Motion Picture Association of America.

The treaty's goal is to ban counterfeit goods and online piracy by requiring Internet Protocol servers and individual websites to monitor and prosecute suspected copyright infringements. But the goal comes packaged with some collateral damage: infringements on individual's civil rights and the creation of a system responsible for widespread, international online censorship.

This nightmare treaty is called the Anti-Counterfeiting Trade Agreement. It has most of the same goals, supporters and privacy abuses of SOPA and PIPA. What it didn't have was the kind of public outcry led by websites such as Reddit and Wikipedia when it was signed by the U.S. The treaty now awaits ratification by the European Union before it goes into full force.

ACTA's scope is far wider than SOPA or PIPA. It aims to stop the "proliferation of counterfeit and pirated goods, as well as of services that share infringing material." This includes knockoff Louis Vuitton purses and cheap counterfeit medicine in developing nations. It also means any website or prog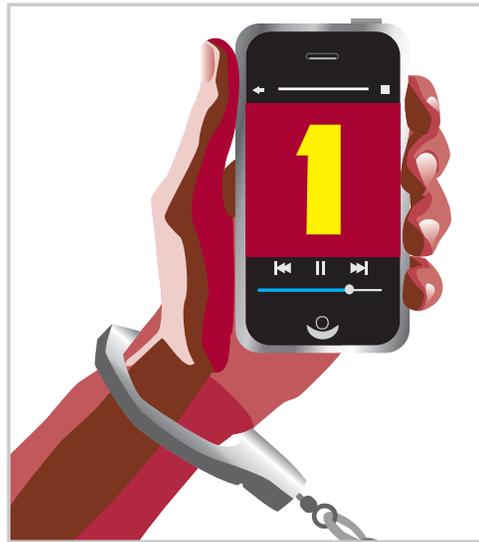ram that could potentially be used to infringe copyrighted material, from sites with links for music downloads to music-burning software, would be automatically outlawed.

The dangers of governmental control of the Internet under the auspices of copyright protection are difficult to overstate. The Internet is a breeding ground for innovation, where crowd sourcing can turn a beta program full of bugs into the hottest new piece of software. But it has now also become a forum for the free exchange of ideas and information across international and cultural boundaries. It is this freedom from government control that has given the Internet so much power.

When individuals are free to use the Internet freely, as they did in Tunisia, they can use it to oust deeply entrenched dictators. When a government is able to stop the free flow of information and spy on the online activity of its citizens, it can kill democracy the way Iran did during the failed Green Revolution in 2009. From Occupy Wall Street in the U.S. to the Indignados in Spain, the Internet has allowed pro-democracy protesters to exchange ideas, tools and advice.

Online freedom has been widely acknowledged as vital for democracy. When Egypt tried to shut off the Internet to quell protests against the rule of President Hosni Mubarak, world leaders, led by President Barack Obama, stood in outrage. Now these same leaders,

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once more led by Obama, are working to quietly build the infrastructure to control the Internet.

Of course, no one says ACTA's goal is to censor the Internet. The stated goal of the treaty is to protect the copyrights of business and artists. The scenario supporters of ACTA – and SOPA and PIPA – point to is that a website such as The Pirate Bay, built for the express purpose of allowing people to illegally download copyrighted music, movies and software, would be shut down. The nightmare scenario opponents of ACTA fear is an individual posting a link to or citing a news article critical of the government could be shut down for not having explicit permission to use that content.

The question is whether the damage being done to the industries ACTA aims to protect is grave enough to warrant stepping on the edge of the slippery slope of Internet censorship. Organizations such as the MPAA and the Recording Industry Association of America argue it is. Both the MPAA and the RIAA argue online piracy is killing creativity and destroying entertainment industries that employ thousands of people.

However, comparing some quick industry statistics from 2000 — the year Napster was shut down — to 2010, proves these claims are patently wrong. In 2000, 506 movies were released with a total worldwide gross of more than $7.7 billion. In 2010, 883 movies were released with a total gross of more than $10.2 billion. Clearly the birth of file-sharing programs like BitTorrent has done little to stymie the creativity of filmmakers.

We cannot risk allowing the governments of not just the U.S., but also the 27 members of the European Union, Japan and Mexico, among others, to create a system for online censorship to stop a nonexistent threat to intellectual property.

The only way to prevent it is with the kind of backlash and social outcry that put a stop to SOPA and PIPA in Congress. This outcry proved once more the Internet can be an unparalleled tool for democracy and government accountability. Now is the time to use it once more to ensure the government won't take it away the day we need it most.

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