**SOPA and PIPA laws would affect Canadians if passed**

 By Jason Magder, The Gazette January 18, 2012

The website Wikipedia went dark Wednesday Jan. 18, 2012, in protest of legislation under consideration by the U.S. Congress.

Photograph by: Screen, Grab

Canadians would be affected if online anti-piracy laws proposed south of the border get passed by Congress, say advocates of free speech and privacy. The laws – The Stop Online Piracy Act and the PROTECT IP Act, known as SOPA and PIPA – would require Internet-service providers to block access to any site accused of posting, or linking to, copyrighted content.

It also would force search engines to remove the offending sites from their databases and prevent advertisers from giving the site their business.

Critics say the law would make media companies judge and jury of copyright infringement, rather than having the process resolved in court.

They also say it’s a blatant attack on freedom of expression.

“The goal, in many ways, of SOPA is to reach beyond the borders of the United States,” said Michael Geist, a University of Ottawa law professor and copyright expert.

“It’s Canadian sites and sites around the world that would find themselves a target for these kinds of actions.”

The proposed laws would do this because, Geist explains, they are written so any website domain name registered in the United States is treated as if it were a U.S. page – The Gazette’s website included.

Because Canadian and U.S. copyright laws differ, a website could be taken down for breaking U.S. provisions, without running afoul of Canadian law.

In the U.S., there were protests in the streets of New York City, Seattle and San Francisco on what was known as Black Wednesday.

Internet companies such as Wikipedia and Reddit shut down parts of their websites for the day, and provided links to anti-SOPA and anti-PIPA sites.

In Canada, Geist also shut down his site, as did Identi.ca. Vancouver-based Internet lobby group OpenMedia.ca and domain registrar Tucows adopted black designs on their sites in symbolic protest. Ontario’s Privacy Commissioner said the laws could have privacy implications for Canadians.

“We are concerned that, if passed, this legislation would serve as a model or benchmark for the Canadian government, which would then have a major impact on Canadians’ privacy,” said David Goodis, the director of legal services for the office of the Information and Privacy Commissioner of Ontario.

“We are particularly concerned with requiring ISPs to perform law-enforcement functions that involve invading the privacy of identifiable individuals.”

Sharon Polsky, the chairperson of the Canadian Association of Professional Access and Privacy Administrators, said she hopes the news south of the border will encourage Canadians to rally against similar laws being adopted here. She said not only would PIPA and SOPA affect Canadians, but there are many legislations being prepared by the Conservative government that are alarming.

“Canadians have not made themselves aware of the laws that will affect our democratic freedom,” Polsky said. “People need to become much more engaged and vocal.

“We are particularly concerned with requiring ISPs to perform law enforcement functions that involve invading the privacy of identifiable individuals.”

She explained a new bill, being prepared by the government called the Lawful Access Act, will require ISPs to put in place methods of monitoring all the sites their members visit, so that law enforcement officials can get access to this information without needing to obtain a warrant.

She said that taken together, the Lawful Access law, the new copyright law introduced late last year and the Anti-Terrorism Act are a huge infringement on privacy. And she added that the laws allow for Canadian authorities to share personal information with their counterparts in other countries under the guise of national security.

“Governments around the world can now share all this personal information without anyone’s knowledge,” Polsky said. “There is a problem.”

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