

# The Pirate Party - Programme of principle version 3.3

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**NOTE: please read - [Pirate Party Declaration of Principles 3.2](#)**

## Introduction

We want to change the global legislation, to benefit the evolving information society which is characterized by openness and multitude. This is done by demanding an increased amount of respect for the citizens and their integrity and privacy, as well as reforming intellectual property laws.

The Pirate-Party's values are based on 3 fundamental values: that the personal integrity must be protected, that culture must be set free, and that patents and private monopolies are harmful for society.

We are now, in a society of surveillance in which practically everyone is registered and monitored. It is not consistent with a modern society of law that all citizens are subjected to surveillance and therefore are treated as suspects. Democracy requires strong protection of privacy.

Copyright was created to benefit society by encouraging the creation, development and dissemination of culture. The achievement of these goals requires a balance between society's demands for access and dissemination and the author's requirements for recognition and compensation. We believe, that today's copyright is out of balance. A society where culture and knowledge is free and accessible to all on equal terms benefit the society as a whole. We argue that a widespread and systematic abuse of today's copyright actively discourage these purposes by limiting both the range of culture and access to culture.

Private monopolies is one of societies archenemies. This is because it leads to excessive prices and large hidden costs for the citizens. Patents are officially sanctioned monopoly on ideas. Larger companies are fighting feverishly to break records in number of patents, which they then often use against smaller competitors in order to not be able to compete with the larger company. The monopolist's goal is not to keep a fair market price and compete on equal terms with the customer's benefits, price, and quality in mind. On the contrary, the patent laws are used as a lever to raise prices to a level which a free and fair market would never have paid, and to impose restrictions that it never would accept. We want to limit the possibilities of creating unnecessary and harmful monopolies.

Trademarks are primarily a protection for the consumers. We believe that the trademark law in essence works well today, so we propose no changes.

## Democracy and civil rights and liberties

The defence of the individual's privacy is statutory in the Swedish constitution. From this fundamental right runs several other important human rights like: freedom of opinion, expression, and information, the right to culture and the right to personal development. All attempts by the government to restrict these rights must be questioned and face a powerful opposition.

All forms of powers, systems and methods that the state can use against its citizens must be under constant review and scrutiny by elected representatives. When the state monitors people who are not suspected of crimes, that constitutes a violation of the individual's privacy in an essentially intolerable manner. Every citizen should be guaranteed the right of anonymity that today is understood in the constitution, and the individual's right to determine their own personal data must be strengthened.

The Pirate Party takes a stand against special treatment of terrorist-crimes in law. The penalties and the offences that already exist for acts that harm or threaten Swedish citizens or their property are

adequate. The anti-terrorist laws that exist today, puts the legal security in jeopardy and risks being used (in its extension) as a repressive measure against immigrants or dissidents.

The state should respect the constitution even in practice. Respect for the citizens and their integrity should mean that principles such as: ban of torture, legislated integrity, legal security, mere conduit, and privacy of correspondence, are not open for compromise. The pirate party intends and will act to expose and bring down a government that the party feels does not live up to the respect for human rights as we are to expect from a democracy. We also believe that such respect should be unconditional, for example based on ancestry, ethnicity, religion, sex, handicap, age, sexual orientation or political opinion.

The privacy of correspondence will be elevated to a general secrecy of communication. It must therefore be prohibited to intercept phone calls of others, read another's e-mail, SMS, or other messages in the same way. It must therefore be prohibited to intercept phone calls of others, read another e-mail, SMS or other messages in the same way as it is now forbidden to read someone else's post, regardless of the technology and provider. Any exception to this rule, in each case remain a well-justified exception. Employers may (or may not) only be: to ensure the technical functionality or in direct connection with the employee's duties, authorized to take part of his messages. The state shall have the right to gather evidence and conduct surveillance of its citizens only if there's a suspicion of crime. The state shall in all other cases assume that its citizens are innocent and leave them alone. This secret of communication must be given strong protection, since the state has in many occasions shown itself as: incapable of managing information that it has had at its disposal in a confidence-boosting way.

*We want to abolish the so called "datalagringsdirektivet" (English:"data-storage-directive") and strengthen the protection of the individual's privacy.*

The pirate party doesn't take a stand in whether or not Sweden should be a member of EU, but since we are members, we have at least the right to demand that it be democratic. The democratic deficit in the EU must eventually be addressed, and the first step is to prevent it being perpetuated by ill-thought-out constitution. The draft of the proposed EU constitution which the Netherlands and France voted no to should not be adopted, either in its original form or with cosmetic changes such as the Lisbon Treaty which Ireland voted no to.

The decision-making and management in both Sweden and the EU must be characterized by transparency and openness. Swedish representatives in EU must by all means work for adopting the so called Swedish "offentlighetsprincipen" meaning: principle of openness/transparency.

*Foundations of democracy should be safeguarded, both in Sweden and in EU.*

## **The culture must be set free**

When copyright law originally was introduced, it regulated only a creator's right to be recognized as a creator of a work. Later it was extended to also include commercial copying of works and now also restricts the private and voluntary workers rights. We believe that this slip is a for society unacceptable development. Today, the economic and technological development has made copyright go completely out of balance and has instead made the unfair advantage of a few large market players possible, at the expense of consumers and society at large. Millions of classical works, songs, movies and artworks are held hostage in media companies' vaults, not requested by their focus groups to make it worthwhile to give them, but potentially too lucrative to be released. We want to make all of these works free and available to everyone, before the celluloid of the films are destroyed by time.

*Intellectual property rights are a way to legislate on the material characteristics of intellectual property values.*

*Ideas, knowledge and information are by nature non-exclusive, their common value lies within the fact that they can be shared and disseminated.*

We believe that the copyright law needs to be brought back to its origin. Legislation should be amended so that it is quite clear that it only regulates the use and copying of works in the commercial context. The sharing of copies, or otherwise disseminate or use of another's work, should never be forbidden as long as it takes place on a non-profit basis without profit motive.

The commercial part of the copyright law should remain as such, but also it needs to be reformed thoroughly. The idea behind the copyright law has always been to find a balance between conflicting interests in the commercial arena. Today, the balance has been completely lost, and needs to be reset.

We want the term, thus the exclusive right to produce copies of the work for commercial purposes, to be reduced considerably to a period such as five years from the work's publication. The commercial protection-range shall be regulated so that the general rule makes you free to create new creations which build upon others, so called derivatives. To the extent that it may be justified to derogate from this general rule, such as direct translations of books or the use of new music in commercial films, the exceptions should be explicitly listed in the law.

*We want to create a reasonable and balanced copyright law.*

All non-commercial acquisition, exploitation, processing and dissemination of culture must be explicitly encouraged. Techniques which aim to limit the consumer's legal right to freely copy and use information and culture, so-called DRM technologies, should be prohibited. In cases where this is not practicable, or a ban would entail great inconvenience for the consumer, the products containing DRM-technology should be in any case provided with clear warnings.

Contract clauses designed to prevent such authorized dissemination of information are to be declared void and of no legal effect. Non-commercial dissemination of published culture, information or knowledge - with the exception of private information - may not be restricted or penalized. As a logical consequence, we want to abolish the private-copying-compensation.

*We want to create a cultural commons (Swedish: "allmansrätt").*

## **Patents och private monopolies harm society.**

Patents have many effects, that damage society. Medical patents bear the blame for: the unnecessary deaths from diseases that would have been treatable were it not for medical patents, the distortion of research priorities, and a growing and unnecessarily high medical bill for the richer parts of the world.

Patents on genes and life, such as patented seeds, leads to unreasonable and harmful consequences. Software patents inhibit technical progress in the IT field, and poses a serious threat to Sweden's and Europe's small and medium-sized IT companies.

Patents allegedly encourage innovation by protecting those who invent and invest in new inventions and manufacturing techniques. Increasingly, however, patents are used primarily by large companies to prevent smaller competitors from competing on equal terms.

Instead of encouraging innovation, patents are now being used by the larger companies as "patent carpets" (a large spider web of patents, used by larger companies, in order to make smaller ones get stuck) in open warfare against other players to avoid competition. These patent holders often have no intention to further develop the patents or technologies.

We believe that patent system have played out its role and that it today actively hinders innovation and the creation of new knowledge. In addition, a look at all products and innovations that can not be patented shows that patents are really not needed – the driving forces from being the first in a market is fully sufficient to create innovation. Inventors are to compete with innovation, customer value, price and quality rather than to be accorded a state supported monopoly on knowledge. To avoid having to pay armies of patent-lawyers liberates resources that instead can be used to create real innovation and improve the products at a faster rate, which will ultimately benefit all.

*We want to abolish the patent system, gradually.*

Apart from using the patent laws the big companies try to gain monopolies in other ways. By keeping data storage formats secret and in other ways hindering or preventing interoperability, they create a lock-in effect, which restricts competitors' abilities and impairs free and fair functioning of the market. This leads to higher prices and lower rates of innovation. When the public sector makes contracts or produce the information this must be done in a way that actively work against the maintenance or emergence of private monopolies on information, knowledge, ideas or concepts. Initiatives such as Open Access, which aims to make research results freely available, should be encouraged and supported.

*Private monopolies shall be resisted.*

The public sector shall archive and make documents available in open formats. It should be possible to communicate with the authorities without being bound to a particular supplier of software. The use of open source in the public sector, including schools, should be encouraged.

*Open formats and open source should be encouraged.*

## **Closing words**

We want to protect the individual citizen's privacy and fundamental human rights. When the state routinely monitors and records of its citizens communication this leads to the abuse of power, lack of freedom and legal uncertainty. We demand a correction of these injustices. We demand justice, freedom and democracy for the citizens.

Today's intellectual property rights leads to: harmful monopolies, that important democratic basic values may suffer, and that innovation of culture and knowledge prevented from reaching citizens. We demand a grass-roots rooted intellectual property, which should be enriching individual people's lives, to enable a healthy business climate, create a right of knowledge and culture, and thus benefit the whole society.

Our work with this is now focused on parliamentary means and hence we seek mandate from the citizens to represent them in those issues on which we have taken a stand herein.

The Pirate Party does not strive to be part of an administration. Our goal is to use a tie breaker position in parliament as leverage, and support an administration that drives the issues in our platform in a satisfactory manner. When they do, we will support that administration on other issues where we choose to not hold opinions of our own.

**To unite as a strong movement, we have chosen to not take a stand in any political issues not connected with the principles declared herein. We stand united around our protection of the right to privacy, our will to reform copyrights, and the need to abolish patents.**