


# Procedure file

Basic information	
COS - Procedure on a strategy paper (historic) <a href="#">1996/2209(COS)</a>	Procedure completed
Illegal and harmful content on the Internet: child protection and human dignity	
Subject 3.30.16 Ethical information policy 4.10.03 Child protection, children's rights	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Civil Liberties and Internal Affairs		27/06/1996
		ARE <a href="#">PRADIER Pierre</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>FEMM</b> Women's Rights		23/01/1996
		V <a href="#">VAN DIJK Nel B.M.</a>	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">1988</a>	17/02/1997
	Telecommunications	<a href="#">1972</a>	28/11/1996

Key events			
16/10/1996	Non-legislative basic document published	COM(1996)0487	Summary
15/11/1996	Committee referral announced in Parliament		
28/11/1996	Resolution/conclusions adopted by Council		
17/02/1997	Resolution/conclusions adopted by Council		
19/03/1997	Vote in committee		Summary
19/03/1997	Committee report tabled for plenary	<a href="#">A4-0098/1997</a>	
23/04/1997	Debate in Parliament		
24/04/1997	Decision by Parliament	T4-0207/1997	Summary
24/04/1997	End of procedure in Parliament		
19/05/1997	Final act published in Official Journal		

Technical information	
Procedure reference	1996/2209(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 142
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/08342

Documentation gateway					
Motion for a resolution		<a href="#">B4-0224/1994</a>	10/11/1994	EP	
Non-legislative basic document		COM(1996)0487	16/10/1996	EC	Summary
Motion for a resolution		<a href="#">B4-1233/1996</a>	18/12/1996	EP	
Committee of the Regions: opinion		<a href="#">CDR0440/1996</a> <a href="#">OJ C 215 16.07.1997, p. 0037</a>	12/03/1997	CofR	
Committee report tabled for plenary, single reading		<a href="#">A4-0098/1997</a> <a href="#">OJ C 132 28.04.1997, p. 0005</a>	19/03/1997	EP	
Text adopted by Parliament, single reading		T4-0207/1997 <a href="#">OJ C 150 19.05.1997, p. 0016-0038</a>	24/04/1997	EP	Summary

## Illegal and harmful content on the Internet: child protection and human dignity

**OBJECTIVE:** the Commission communication seeks to describe briefly the various types of illegal and harmful content on the Internet and to propose a certain number of practical initiatives to be implemented forthwith. **SUBSTANCE:** the Commission considers it necessary to have a first set of measures for immediate action with a view to reducing the illegal and harmful content on the Internet. These measures should be adopted - according to their respective nature - under the provisions of the EC Treaty (free movement of services) or within the framework of Justice and Home Affairs. 1) As regards illegal content, the Commission proposes: - the stepping up of cooperation between the Member States in order to combat the sources from where criminal content comes and to restrict distribution of copies (exchange of information, definition of minimum European standards on criminal content); - the assessment of the need for a common European framework to clarify the responsibility of access providers and host service providers; - the encouragement of cooperation between associations of Internet access providers to help the process of self-regulation. 2) As regards harmful content, the Commission proposes: - the adoption of a Council recommendation setting out a clear political message encouraging the use of filtering software such as PICS and one or more European rating systems; - the encouragement of European content providers to cooperate in this system by adopting their own code of conduct for content published on the Internet; - a Commission initiative to support national awareness actions for parents and teachers. 3) As regards international issues, the proposal by Germany to host an international conference was accepted by the Council. This meeting should open up the possibility of an international convention on illegal and harmful content. The dialogue must include the largest number of countries possible and could be extended to organizations such as the OECD, WTO or the United Nations. 4) Lastly as regards support actions, the decision was made to set up an Information Web site (hosted by a Commission server) containing: information and guidance for parents, teachers and children; parental control software; information on activities of official bodies. ?

## Illegal and harmful content on the Internet: child protection and human dignity

The Committee on Civil Liberties adopted the draft legislative resolution on the communication on "illegal and harmful content on the Internet" by 26 votes to 1. The rapporteur, Mr Pradier (ARE, F) decided in his report to concentrate on the most worrying phenomena, such as incitement to violence and hatred (extremism), paedophilia and perverse pornography. Although respect for the freedom of expression was fundamental in this new area, protection from physical harm and, in particular, the protection of children was of prime importance. While rejecting an exclusively repressive approach to computer networks (for the rest, the special nature of the Internet prevents practical censorship), the text adopted endeavours to provide a range of suitable means and measures to combat forms of illegality and the use of harmful content concerning minors with moral implications. For its part, the Commission was called on to introduce a European quality label for Internet service providers along the same lines as the present system of labelling for environmentally-friendly products. In addition, it was asked, following consultation with Parliament, to propose a common European framework to encourage self-regulation by access and Internet service providers. While emphasizing the need to regulate the responsibility of service providers at Community and international level (in this respect Member States are also called on to define a minimum number of common rules in their criminal law and to strengthen administrative collaboration), the draft resolution insists on the need for preventive "vertical" cooperation between political decision-makers, industry, access and service providers and user associations to gain ground before any repressive regulation is introduced. The self-regulation and awareness mechanisms triggered by such an approach would, for example, prevent the traffic in human beings for the purposes of sexual exploitation

from penetrating the network in the form of information on adoption or offers of employment (home help services in particular). As far as the use of the network for the purposes of distributing child pornography and sexually exploiting children was concerned, the text adopted classifies these messages as crimes and, in the same preventive spirit, calls on the national authorities to promote the ability of children to make a critical analysis of audio-visual images through the educational system, without overlooking parental control in this respect (for example the use of filtering software). As far as illegal content is concerned, the draft resolution recommends communitization of the third pillar of the Maastricht Treaty, given that this area currently falls between two areas: the free movement of services (first pillar, already within the Community system) and civil liberties and justice (third pillar, subject to the intergovernmental method). Once this condition is in place, the European Union will be able to intervene, in accordance with the principles of subsidiarity and proportionality, under the dynamic impetus and democratic control of Parliament. In addition, it should be able to count on stronger police cooperation, the implementation of a "cyberpolice" under the aegis of Europol and the creation of a central register of missing children as part of the future European Information System (EIS). Parliament has called for the Council to take a stand on this series of initiatives and to inform it, by October 1997 of the progress made, in particular in relation to filtering and rating systems, given the rapid rate of technological change.?

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After pointing out that the freedom of expression remained absolutely essential in our democratic societies, Parliament acknowledged the need to address certain worrying phenomena observed on the Internet, which must not, however, be allowed to overshadow the cultural revolution made possible by the Internet, the opportunities of which for interactive communications may be of use to a large section of the population. In adopting the report by Mr PRADIER (ARE, FR) by 338 votes to 4, with 10 abstentions, Parliament called on the Commission to draw up a European quality rating system for providers of Internet services and to propose a common framework for self-regulation at EU level. It called on the Council to create a centralized register of missing children on the lines of the US 'Center for Missing and Exploited Children'. Drawing a distinction between the illicit content and the harmful content of information carried by the Internet, the rapporteur notes that the problem of harmful content is by nature identical to that found in traditional modes of communication. Parliament stresses that the main problem concerning illegal content concerns not so much Web pages themselves as newsgroups and electronic mail. It calls in particular: - on the Member States to define a minimum number of common rules in their criminal law and to strengthen administrative cooperation; - on the Commission to propose a common framework for self-regulation; - for police officials to be trained in the location and repression of forms of crime connected with telematic media. As regards harmful content, Parliament stresses the primacy of individual responsibility, especially within the family, but that public action can play a complementary role. Specifically, it calls for: - the Commission and the Member States to develop a common international rating system compatible with the PICS protocol, and sufficiently flexible to accommodate cultural differences; - providers of data over the Internet to be required to identify senders and to accept responsibility, including criminal-law responsibility for the content supplied to their subscribers. Parliament welcomes the initiatives by the industry to develop mechanisms of self-control, stresses the need for international cooperation between the EU and its main external partners and calls for the use of parental control systems using the newly-developed filtering techniques to be encouraged. Parliament calls on the Council to review and inform it, by October 1997, of the progress in particular in relation to the effectiveness of filtering and rating systems and the protection of children, given the rapid rate of technology change. It also calls on the Council to keep it informed of developments relating to the agreement reached at the Dublin meeting of justice and home affairs ministers, who agreed to step up police cooperation within Europol in order to combat paedophilia and trafficking in children and women. ?