



# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Decision	1997/0337(COD) Procedure completed
Internet: multiannual action plan on promoting safer use	
Amended by <a href="#">2002/0071(COD)</a> Amended by <a href="#">2003/0304(COD)</a>	
Subject 3.30.25.02 Information programmes and action plans	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>LIBE</b> Civil Liberties and Internal Affairs		18/03/1998
		PSE <a href="#">SCHMID Gerhard</a>	
	Former committee responsible		
	<b>LIBE</b> Civil Liberties and Internal Affairs		18/03/1998
		PSE <a href="#">SCHMID Gerhard</a>	
	Former committee for opinion		
<b>BUDG</b> Budgets			
<b>ECON</b> Economic and Monetary Affairs, Industrial Policy			16/02/1998
	PPE <a href="#">ARGYROS Stelios</a>		
<b>JURI</b> Legal Affairs, Citizens' Rights			27/11/1997
	UPE <a href="#">JANSSEN VAN RAAY James L.</a>		
<b>FEMM</b> Women's Rights			
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Transport, Telecommunications and Energy</a>	<a href="#">2395</a>	06/12/2001
	<a href="#">Environment</a>	<a href="#">2153</a>	20/12/1998
	<a href="#">Competitiveness (Internal Market, Industry, Research and Space)</a>	<a href="#">2117</a>	24/09/1998
	Telecommunications	<a href="#">2096</a>	19/05/1998
	Telecommunications	<a href="#">2071</a>	26/02/1998

Key events			
26/11/1997	Legislative proposal published	COM(1997)0582	Summary
29/01/1998	Committee referral announced in Parliament, 1st reading		

26/02/1998	Resolution/conclusions adopted by Council		
19/05/1998	Debate in Council	<a href="#">2096</a>	
04/06/1998	Vote in committee, 1st reading		Summary
04/06/1998	Committee report tabled for plenary, 1st reading	<a href="#">A4-0234/1998</a>	
01/07/1998	Debate in Parliament		
02/07/1998	Decision by Parliament, 1st reading	T4-0396/1998	Summary
10/09/1998	Modified legislative proposal published	COM(1998)0518	Summary
24/09/1998	Council position published	<a href="#">10182/1/1998</a>	Summary
09/10/1998	Committee referral announced in Parliament, 2nd reading		
26/10/1998	Vote in committee, 2nd reading		Summary
26/10/1998	Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0377/1998</a>	
16/11/1998	Debate in Parliament		
17/11/1998	Decision by Parliament, 2nd reading	T4-0647/1998	Summary
20/12/1998	Act approved by Council, 2nd reading		
25/01/1999	Final act signed		
25/01/1999	End of procedure in Parliament		
06/02/1999	Final act published in Official Journal		

### Technical information

Procedure reference	1997/0337(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Decision
	Amended by <a href="#">2002/0071(COD)</a> Amended by <a href="#">2003/0304(COD)</a>
Legal basis	EC before Amsterdam E 129A
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/10459

### Documentation gateway

Legislative proposal		<a href="#">COM(1997)0582</a> <a href="#">OJ C 048 13.02.1998, p. 0008</a>	26/11/1997	EC	Summary
Economic and Social Committee: opinion, report		<a href="#">CES0627/1998</a> <a href="#">OJ C 214 10.07.1998, p. 0029</a>	29/04/1998	ESC	
Committee of the Regions: opinion		<a href="#">CDR0054/1998</a> <a href="#">OJ C 251 10.08.1998, p. 0051</a>	13/05/1998	CofR	

Committee report tabled for plenary, 1st reading/single reading	<a href="#">A4-0234/1998</a> <a href="#">OJ C 210 06.07.1998, p. 0009</a>	04/06/1998	EP	
Text adopted by Parliament, 1st reading/single reading	T4-0396/1998 <a href="#">OJ C 226 20.07.1998, p. 0011-0033</a>	02/07/1998	EP	Summary
Modified legislative proposal	COM(1998)0518 <a href="#">OJ C 324 22.10.1998, p. 0006</a>	10/09/1998	EC	Summary
Council position	<a href="#">10182/1/1998</a> <a href="#">OJ C 360 23.11.1998, p. 0083</a>	24/09/1998	CSL	Summary
Commission communication on Council's position	SEC(1998)1641	02/10/1998	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	<a href="#">A4-0377/1998</a> <a href="#">OJ C 359 23.11.1998, p. 0005</a>	26/10/1998	EP	
Text adopted by Parliament, 2nd reading	T4-0647/1998 <a href="#">OJ C 379 07.12.1998, p. 0017-0025</a>	17/11/1998	EP	Summary
Commission opinion on Parliament's position at 2nd reading	COM(1998)0784	14/12/1998	EC	Summary
Follow-up document	COM(2001)0690	23/11/2001	EC	Summary
Follow-up document	<a href="#">COM(2003)0653</a>	03/11/2003	EC	Summary

#### Additional information

European Commission

[EUR-Lex](#)

#### Final act

[Decision 1999/276](#)  
[OJ L 033 06.02.1999, p. 0001](#) Summary

## Internet: multiannual action plan on promoting safer use

**OBJECTIVE:** to help create an environment favorable to the development of industries associated with the Internet by promoting safe use of the Internet. **SUBSTANCE:** the Commission proposes to adopt a multiannual Community action plan (1998-2002) to promote safe use of the Internet. The proposed action plan is specifically geared to measures which require Community funding. It seeks to: - encourage those concerned (industry, users) to develop and use adequate systems of self-regulation; - impart initial impetus by supporting the demonstration and application of technical solutions; - alert and inform parents and teachers, particularly through the appropriate associations; - encourage cooperation and exchanges of experience and best practices; - promote coordination across Europe and between those concerned; - ensure that the approaches adopted in Europe and elsewhere are compatible. In order to realize these objectives, the action plan comprises four action lines: 1) creating a safe environment by restricting the circulation of illegal and harmful content on the Internet (child pornography, racism and anti-Semitism, etc.) and encouraging self-regulation by the industry and the development of codes of conduct; 2) encouraging the industry to develop filtering and rating systems to enable parents or teachers to select content appropriate to children, while allowing adults to select whatever legal material they wish to access, taking account of cultural diversity; 3) encouraging user awareness of the services provided by the industry, particularly among parents, teachers and children, to improve their knowledge of the opportunities afforded by the Internet and enable them to take advantage of them; 4) support measures such as evaluation of the legal implications of the unique characteristics of the Internet and its global nature (e.g. the law applicable and liability for criminal offences). Participation in the action plan will be open to legal entities established in the EFTA countries which are members of the European Economic Area and to European international organizations. ?

## Internet: multiannual action plan on promoting safer use

The Committee has adopted the report by Gerhard SCHMID (PES, D) on a multiannual Community action plan on promoting safe use of the Internet. The report was adopted unopposed, with one abstention. The action plan is intended to encourage an environment favourable to the development of the Internet industry, while promoting safer use of the Internet, and to complement other EU-funded measures dealing with the impact of the new technologies on the public. The committee believes that illegal and harmful content on the Internet, while limited, can be damaging to the mental health, safety and economic interests of consumers and thus affect the creation of an environment conducive to sound ethical standards. It shares the view of the Council's Legal Service, which maintains that the legal basis of the proposal should be changed (so

as to use Article 129a of the Treaty, which provides for the codecision procedure, rather than Article 130). Combatting Internet content which is liable to prosecution is a matter for the Member States. In practice, this is made considerably more difficult by the fact that not even in the European Union are there identical or at least comparable legal standards governing important issues in this area. For example, prosecution in cases of child pornography is difficult if the term "child" is defined using different age limits. It is also difficult if a pointer to a site with content which is liable to prosecution (a "link" in the World Wide Web) is not itself liable to prosecution. Law enforcement also becomes impossible if servers can be operated anonymously and electronic mail sent anonymously. The committee argues that, in addition to legal research, account should be taken of the practical experience of Internet criminal offences gained by police forces.?

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## Internet: multiannual action plan on promoting safer use

In adopting the report by Mr Gerhard SCHMID (PSE, D), the European Parliament expressed the view that, although the amount of harmful or illegal content circulating on the Internet was limited, it could damage the mental health, safety and economic interests of consumers and thus adversely affect the establishment of a favourable environment for promoting and respecting ethical standards. It advocated that the legal basis of the proposal be amended (to Article 129a of the Treaty rather than Article 130, as the former provides for the codecision procedure). Parliament called for the action plan to encourage: -the promotion of the application of systems to monitor and combat harmful and illegal content which may jeopardise national security, the protection of minors, protection of human dignity, financial security, data protection, protection of privacy, protection of public health and intellectual property (especially in relation to content such as child pornography, inciting trafficking in people and sexual abuse, homophobia, racism and anti-Semitism or their encouragement); -the adoption of guidelines regarding the responsibility of each body involved for the content of the Internet and combating harmful and illegal content; -supporting initiatives, including websites for information and assistance, by organisations active in the protection of human and citizens' rights, and in counteracting violence and the abuse of women and children. In conjunction with the development of codes of conduct, Parliament advocates the working out of a European quality labelling system for suppliers of Internet services that comply with these codes. Parliament calls for research, particularly to examine: - which legal instruments are required to be able to classify each provider of content in the Internet as a natural or a legal person; - which provisions of criminal law in the Member States and in the framework of international agreements ought to be approximated in qualitative terms; - how quickly formal requests for judicial assistance need to be processed for effective international enforcement of the criminal law. Police officers' experience of Internet crime should also be included in these examinations.?

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## Internet: multiannual action plan on promoting safer use

The Commission amended proposal incorporates in full or in part 20 of the 23 amendments adopted by Parliament at first reading. In particular the Commission accepted the amendments which: - emphasise the consumer protection perspective, - include issues of importance under the scope of the plan and supplement the definitions. The Commission however was not able to accept the amendments concerned with legal issues and liability or an amendment proposing to include labelling systems in industry codes of conduct. ?

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## Internet: multiannual action plan on promoting safer use

The Council common position incorporates in full or in part 10 of the 25 amendments adopted by Parliament and broadly endorses the Commission proposal. The Council considers however that the content of the proposal was intended largely to provide adequate information for consumers regarding the Internet rather than to promote the development of the Internet industry, the latter objective being in its view of secondary importance. The Council therefore considered that Article 129a(1)(b) of the EC Treaty was the appropriate legal basis for the proposal and not Article 130(3) of the EC Treaty proposed by the Commission, which would mean recourse to the codecision procedure. Therefore the title of the decision was made more specific, stating that the action plan aimed to promote a safer use of the Internet by combating illegal and harmful content on global networks. In line with the new legal basis, the Council has included a financial provision stating that the financial framework for implementation of the action plan is ECU 25 million for the period from 1 January 1998 to 31 December 2001. An explicit reference to the indicative breakdown of expenditure at Annex II has been added. The common position also states that Community plan actions are designed to support and promote the measures to be taken by the Member States. Cases in which the committee responsible for assisting the Commission should intervene have been specified and new tasks planned: the committee will also intervene to assess projects and the estimated amount of the Community contribution when that is equal to or exceeds ECU 300 000. The Council has opted for a committee operating according to a type III A procedure. Regarding participation by third countries, the common position distinguishes clearly between the various categories of country concerned, i.e. the EFTA countries which are members of the EEA, the associated countries of Central and Eastern Europe, Cyprus and third countries. The Council has strengthened the line of action on 'creating a safe environment' by increasing to 26-30% (instead of 14-18%) the indicative share of expenditure to be allocated to this line, cutting the other three lines accordingly. The indicative breakdown of expenditure is therefore as follows: - creating a safer environment: 26-30% - developing filtering and rating systems: 32-38% - encouraging awareness actions: 30-36% - support actions: 3-5%. ?

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## Internet: multiannual action plan on promoting safer use

The Commission does not accept setting the financial framework at ECU 25 million nor establishing a regulatory committee rather than a consultative committee. Other changes to the initial proposal in the common position reflect amendments by Parliament or bring it more closely into line with the main objectives of the Commission proposal. Consequently, and although the Commission prefers the text of the amended proposal, it can accept the common position. ?

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## Internet: multiannual action plan on promoting safer use

The recommendation at second reading) by Gerhard SCHMID (PES, D) on a Community action plan to promote safe use of the Internet has

been adopted by the Committee. The committee emphasises Parliament's wish for rules to be established which will ensure that the Internet is used safely. The Council has altered the Commission's proposal (the Commission had taken on board most of Parliament's amendments, i.e. 20 out of 23), by tightening it up and by changing its wording. It has removed all references to cooperation in the area of justice by deleting parts of the text and making clarifications (the references to the need for legislative harmonisation have, for example, been removed from the text and the conduct of preparatory studies made explicitly subject to decisions of the committee composed of Member State representatives which is responsible for implementation of the programme). The Council - consistently from its standpoint - has rejected all amendments relating to the programme committee or judicial cooperation. Regrettably (according to the rapporteur), it has also refused, quite unnecessarily, to accept the proposal for a quality labelling system for Internet suppliers. The rapporteur therefore wants Parliament to retable the demands it made in four areas: -support should be given under the action plan to organisations active in the protection of human rights and in counteracting violence against and abuse of women and children; -the most effective means should be used for disseminating information to raise user awareness; -Internet providers who voluntarily keep to a code of conduct agreed within the industry on undesirable website content (pornography, glorification of violence, racism, etc) should be able to apply to the Commission for a quality label; -civil and criminal law within the EU will have to be harmonised with the aim of ensuring safer use of the Internet.?

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## Internet: multiannual action plan on promoting safer use

In adopting the recommendation for second reading by Mr Gerhard SCHMID (PSE, D), the European Parliament called for the action plan to apply from 1 January 1999 to 31 December 2002. Where an equivalent alternative existed for the dissemination of information to target groups, it called for that with the best cost-benefit ratio to be adopted. Where possible and worthwhile, electronic dissemination should be assigned priority. Parliament called for specific information to be provided when purchasing hardware or software designed for access networks or by Internet access providers for their new users. In conjunction with codes of conduct, Parliament wished a site quality label system to be established to help users to identify providers which complied with the code of conduct.?

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## Internet: multiannual action plan on promoting safer use

Of the 4 amendments adopted by the European Parliament at second reading, the Commission accepted all in full. These pertain to: - the four-year time period for the Action plan to be from 1/1/99 to 31/12/2002 rather than 1/1/98 to 31/12/2001 ; - establishing a system of "Quality Site Labels" for Internet Service Providers to assist users in identifying providers that adhere to Codes of Conduct ; - giving priority to electronic distribution, without prejudice to using the most cost-effective means of distributing awareness-raising information ; - allowing the possibility of providing more specific information on buying network-accessing software, or by Internet access providers to new subscribers.?

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## Internet: multiannual action plan on promoting safer use

**PURPOSE :** promoting safer use of the Internet by combating illegal and harmful content on global networks **COMMUNITY MEASURE :** Decision no. 276/1999/EC of the European Parliament and of the Council adopting a multiannual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks. **CONTENT :** The action plan covers a period of 4 years from 1 January 1999 to 31 December 2002. Its budget is set at 25 million euros. The objective of the plan is to promote safer use of the Internet and to encourage, at European level, an environment favourable to the development of the Internet industry. The action lines (see Annex I), in conjunction with the recommendation on protection of minors and human dignity, are a means of implementing a European approach to safer use of the Internet, based on industry self-regulation, filtering and rating, and awareness. The action lines have the following objectives : - to incite the actors (industry, users) to develop and implement adequate systems of self-regulation, - to pump-prime developments by supporting demonstrations and stimulating application of technical solutions, - to alert and inform parents and teachers, in particular, through their relevant associations, - to foster co-operation and exchange of experiences and best practices at European and international levels, - to promote co-ordination across Europe and between actors concerned, - to ensure compatibility between the approach taken in Europe and elsewhere. **Action line 1 :** Creating a safer environment (creating a European network of hot-lines; encouraging self-regulation and codes of conduct). **Action line 2 :** Developing filtering and rating systems (demonstrating the benefits of filtering and rating; facilitating international agreement on rating systems). **Action line 3 :** Encouraging awareness actions (preparing the ground for awareness actions; encouraging implementation of full-scale awareness actions). **Action line 4 :** Support actions (assessing legal implications, co-ordination with similar international initiatives, evaluating the impact of Community measures). The Commission shall be responsible for the implementation of the action plan. It shall be assisted by a committee composed of representatives of the Member States and chaired by the representative of the Commission. **ENTRY INTO FORCE :** 25/01/1999.?

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## Internet: multiannual action plan on promoting safer use

Agreed in 1999, the multi-annual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks (1999-2002), is up for review and the European Commission is presenting the results of a study into the efficacy or not of the programme. Independent evaluators were commissioned to assess the successes and failings of the programme and to offer advice on how to improve upon the overall structure. Generally speaking, the independent evaluators found that the Action Plan has been a success. In all the evaluators came up with fifteen recommendations, most of which the Commission endorses. They are as follows: 1. The broad division into three main Action lines of the current IAP (Hotlines and Self-Regulation; Awareness and Rating; and Filtering) should be retained in any future actions. 2. The Action lines should be extended to cope with the impact of new technology. Future call for proposals will bear this recommendation in mind. 3. The Action Plan should be balanced in scope. The Commission argues that this is already the case. 4. The application procedures should use simpler forms. The Commission suggests that work on simplifying the forms is already under way. 5. Delays between project approval and contract signing should be reduced. The Commission promises to make substantial progress on this matter in the near future. 6. Assistance from the Action Plan with partner identification should be considered. The Commission agrees to give this greater prominence. 7. Efforts should be made to increase the consistency of advice provided by the Action Plan to projects in relation to the financial application forms. Particular attention to this matter is offered to operators by the Commission so that organisations are aware of the

rules. 8. Projects should ensure adequate resource are given to media and press coverage and visibility. The Commission acknowledges the importance of this issue and will continue to seek advice on how best to attract media attention. 9. The Action should review efforts to support project sustainability. The Commission will see if there are any steps that it can take to encourage this process. 10. The Action Plan should consider ways to manage the potential for overlap. The Commission notes that a number of measures are already in place to avoid overlap and agrees to give this continuing attention in 2002. 11. Projects funded under the Action should be structured in such a way as to allow the formal measures of success to be evaluated. 12. The Action Plan should consider putting into place formal arrangements to track legal and regulatory developments. 13. The Action Plan should consider putting into place formal arrangements to monitor and evaluate technological and market developments. This will be reviewed through on-going reports, forums and workshops. 14. The Action Plan needs to have a higher profile and gain wider awareness itself. The Commission, suggests that work is already under way to increase the visibility of the Action Plan through a series of conferences and the distribution of documentation. 15. The Action Plan should consider more links to activities and organisation outside the EU. The Commission already links up with relevant international organisations involved in Internet safety as well as following developments in other parts of the world. To conclude, the Commission agrees to take full note of the findings and recommendations. It calls on the other institutions to support the Commission in its drive to simplify administrative procedures, enhance the effectiveness of the projects, increase dissemination of project results and stimulate public debate on safer Internet issues. ?

## Internet: multiannual action plan on promoting safer use

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This report from the Commission concerns the evaluation of the Multiannual Community Action Plan on promoting safer use of the Internet and new online technologies by combating illegal and harmful content primarily in the area of the protection of children and minors (1999-2002). During the years 1999 - 2002, 37 projects were co-financed, involving over 130 different organisations. Two service contracts were concluded for advice to self-regulatory bodies and for exchange of information about best practices. The Decision was amended by Decision 1151/2003/EC of the European Parliament and of the Council of 16 June 2003 extending the duration of the programme until 31 December 2004, increasing the indicative budget by EUR 13.3 million and making a number of changes to the title and scope of the programme and to its implementing actions. The Decision as amended provides in article 6(4) that at the end of four years, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, once the committee referred to in Article 5 has examined it, an evaluation report on the results obtained in implementing the action plan. The Commission may present, on the basis of those results, proposals for adjusting the orientation of the action plan. The evaluators recognised the positive impact of the current programme, particularly in fostering networking and providing a wealth of information about the problems of safer use of the Internet and their solutions. The extension to the programme for 2003 - 2004 takes into account many of the conclusions which arose from the evaluation. The reorientation of the Action Plan in this extension is firmly supported by the results of the evaluation, particularly the concentration on additional forms of content, such as racism, and the introduction of actions targeted at new forms of communication such as peer-to-peer and 3G mobile phone technology. More specifically it was concluded that stakeholders agree that the programme's original objectives, priorities and means of implementation still apply, and that the action lines are appropriate mechanisms for the fulfilment of the objectives. The evaluators conclude that the European networking of the hotlines is extremely important. The programme has done a good job in producing a number of filtering software products although take-up of rating needs to be increased and not all stakeholders agree that filtering is the best approach to child protection. Awareness-raising remains an important focus. The developments in relevant societal, regulatory and technical areas have been taken into account. The programme is actively integrating itself with other community activities at the policy level. At the policy level, the programme has been successful in putting the issues of developing a safer Internet firmly on the agenda of the EU and the Member States. The foresight of the European Commission in identifying these issues early on in the development of the Internet should be recognised. At action-line level, the Commission has instigated the development of a network of hotlines in Europe with associated members in the US and Australia, funded research into tackling awareness-raising with a variety of end users, stimulated the development of filtering, taking into consideration the cultural and linguistic diversity of Europe and supported the development of an international rating system. The impact of some projects, particularly filtering, will still take time to assess properly. The EC style of project bringing together a range of organisations from different cultures and national backgrounds is particularly useful on this type of programme and produces networking and knowledge oriented impacts. The programme has been successful in linking up stakeholders to produce a 'community of actors', although there should be greater involvement of industry as well as self-regulation organisations and consumer groups. The evaluation report makes a number of recommendations under the following headings: 1) Relevance: - to extend emphasis/objectives to encompass new and emerging communication technologies that will in particular influence children's use of the Internet (e.g. 3G mobile telephones). Review the Action Line on filtering and rating. Continue to move towards networks of nodes for awareness-raising in the Member States. - the problems associated with trying to achieve a safer Internet are global. The Commission should continue to engage with actors external to the European Union. 2) Effectiveness and Impact: - the programme should encourage wider involvement of ISPs and other relevant industry players. The Commission agrees. Hotlines already have strong industry input. The current awareness projects which are using a "node" approach have been successful in attracting industry support, and this approach will be generalised through networking awareness actions in the next round of projects in 2003 - 2004. The Safer Internet Forum will include among its members ISP and other relevant industry players. - a wealth of information and material has already been produced within the projects and should be made widely available. The Commission states that the Safer Internet Action Plan official web site provides information of the programme and links to the main projects web sites. Additionally, the saferinternet.org Web site gives "one-stop" access to the project results. This will continue as a task for the awareness network co-ordinator. - consideration should be given to reviewing the existing instruments in light of the dynamic nature of creating a safer Internet. - the programme should focus where it is likely to have the most impact which is at the European/International level through networking and multipliers. 3) Efficiency and Effectiveness: - the European Commission should review the administrative procedures in order to harmonise the approach with the types of projects to be funded. - the Action Plan should address how it is going to reconcile funding new hotlines in Candidate countries as well as existing hotlines on the same budget. Commission comment: The budget for hotlines in 2003 - 2004 has been increased, in a way that it should permit continuation of funding of the existing hotlines and the launch of new ones in acceding countries. - there should continue to be a market watch on issues relating to the law, regulation and codes of conduct. 4) Utility and sustainability : - the Commission should substantially review the implementation and support mechanisms proposed for any future actions in this area. Specifically, the Action Plan needs to address issues of the sustainability of the hotlines and have a more appropriate funding model for them particularly in light of enlargement. In conclusion, the Commission takes note of the findings and recommendations of the evaluation report on the programme. In the light of the Commission's responses, it invites the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions to: - continue their support for the role of the programme in promoting safer use of the Internet and new online technologies during 2003 - 2004; - continue an active debate on combating illegal and harmful content primarily in the area of the protection of children and minors.?

