


Procedure file

Basic information		
COS - Procedure on a strategy paper (historic)		Procedure completed
2001/2070(COS)		
Information society, eEurope 2002: security of infrastructures, combating computer-related crime		
Subject		
3.30.25 International information networks and society, internet		
7.30.05 Police cooperation		
7.30.30 Action to combat crime		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Citizens' Freedoms and Rights, Justice and Home Affairs		01/02/2001
		PPE-DE CEDERSCHIÖLD Charlotte	
	Committee for opinion	Rapporteur for opinion	Appointed
	ECON Economic and Monetary Affairs	The committee decided not to give an opinion.	
	JURI Legal Affairs and Internal Market		21/03/2001
Council of the European Union		PSE MCCARTHY Arlene	
	ITRE Industry, External Trade, Research, Energy		27/02/2001
		PSE ZORBA Myrsini	
	CULT Culture, Youth, Education, Media and Sport	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Transport, Telecommunications and Energy	2364	27/06/2001
	Competitiveness (Internal Market, Industry, Research and Space)	2351	30/05/2001
	Telecommunications	2340	04/04/2001
	Justice and Home Affairs (JHA)	2337	15/03/2001
European Commission	Commission DG Justice and Consumers	Commissioner	

Key events			
26/01/2001	Non-legislative basic document published	COM(2000)0890	Summary
15/03/2001	Debate in Council	2337	Summary
04/04/2001	Debate in Council	2340	

02/05/2001	Committee referral announced in Parliament		
30/05/2001	Resolution/conclusions adopted by Council		Summary
27/06/2001	Debate in Council	2364	
11/07/2001	Vote in committee		Summary
11/07/2001	Committee report tabled for plenary	A5-0284/2001	
05/09/2001	Debate in Parliament		
06/09/2001	Decision by Parliament	T5-0452/2001	Summary
06/09/2001	End of procedure in Parliament		
21/03/2002	Final act published in Official Journal		

Technical information

Procedure reference	2001/2070(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 101o
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/14364

Documentation gateway

Non-legislative basic document		COM(2000)0890	26/01/2001	EC	Summary
Committee report tabled for plenary, single reading		A5-0284/2001	11/07/2001	EP	
Text adopted by Parliament, single reading		T5-0452/2001 OJ C 072 21.03.2002, p. 0239-0323 E	06/09/2001	EP	Summary
Economic and Social Committee: opinion, report		CES1115/2001 OJ C 311 07.11.2001, p. 0012	12/09/2001	ESC	
Committee of the Regions: opinion		CDR0088/2001 OJ C 107 03.05.2002, p. 0029	14/11/2001	CofR	

Information society, eEurope 2002: security of infrastructures, combating computer-related crime

PURPOSE: to present a Communication from the Commission on "Creating a Safer Information Society by Improving the Security of Information Infrastructures and Combating Computer-related Crime. **CONTENT:** This Communication discusses the need for and possible forms of a comprehensive policy initiative in the context of the broader Information Society and Freedom, Security and Justice objectives for improving the security of information infrastructures and combating cybercrime, in accordance with the commitment of the European Union to respect fundamental human rights. In the short-term, the Commission believes that there is a clear need for an EU instrument to ensure that Member States have effective sanctions in place to combat child pornography on the Internet. The Commission will introduce later this year a proposal for a Framework Decision which, within the wider context of a package covering issues associated with the sexual exploitation of children and trafficking in human beings, will include provisions for the approximation of laws and sanctions. In the longer-term, the Commission will bring forward legislative proposals to further approximate substantial criminal law in the area of high-tech crime. In accordance with the conclusions of the European Council in Tampere in October 1999, the Commission will also consider the options for mutual recognition of pre-trial orders associated with cybercrime investigations. In parallel, the Commission intends to promote the creation of specialised computer-crime police units at the national level, where they do not already exist, support appropriate technical training for law enforcement and encourage European information security actions. As the technical level and in line with the legal framework, the Commission will promote R&D to understand and reduce vulnerabilities and will stimulate the dissemination of know-how. The Commission intends also to

set up an EU Forum in which law enforcement agencies, Internet Service Providers, telecommunications operators, civil liberties organisations, consumer representatives, data protection authorities and other interested parties will be brought together with the aim of enhancing mutual understanding and co-operation at EU level. The Forum will seek to raise public awareness of the risks posed by criminals on the Internet, to promote best practice for security, to identify effective counter-crime tools and procedures to combat computer-related crime and to encourage further development of early warning and crisis management mechanisms. ?

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The Council took note of a Commission communication on cybercrime "Creating a Safer Information Society by Improving the Security of Information Infrastructures and Combating Computer-related Crime" and agreed that the priorities listed in the communication, namely the need for an EU instrument to ensure that Member States have effective sanctions in place to combat child pornography on the Internet, the approximation of substantive law in the area of high tech crime and the promotion of the creation of specialised computer-crime police units at a national level where they do not already exist, are the areas that should be targeted for further work with a view to a follow-up discussion at the May JHA Council. During the Commission's presentation of the above mentioned Communication which contains policy proposals as well as promises to make legislative proposals in this area, Commissioner VITORINO reported on the outcome of a hearing on cybercriminality that took place in Brussels on 17 March, and outlined plans for a European forum on cybercrime to be launched during the Belgian Presidency. At the hearing, the central question of the retention of traffic data dominated discussions. ?

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Considering that information security was, in institutional terms, an important issue within the three pillars of the EU, the Council adopted a resolution to be presented to the Gothenburg European Council in which it: - underlined the need for action both at Member State and European level in the area of information and network security and recognised that information and network security called for a comprehensive cross-pillar approach when developing policies in this area and working on appropriate coordination; - took note of the Commission intention to present a communication on a comprehensive strategy for security of electronic networks; - undertook to examine rapidly the proposals for practical implementing action with a view to strengthening and increasing the coherence of policies for information security in the Union, and in addition consider whether institutional structures and procedures for information and network security issues should be strengthened (inter alia by setting up an independent European entity for information security, independent observatory, Council working party or other appropriate forum, or by strengthening the existing cooperation between the CERTs (Computer Emergency Response Teams)).

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The committee adopted the report by Charlotte CEDERSCHIÖLD (EPP/ED, S) which made a series of recommendations in response to the Commission communication. It called for a coherent European strategy to be developed for the fight against cybercrime, while at the same time preserving the Internet as a global free market and safeguarding the fundamental rights over privacy and personal data protection. The committee called on the Commission to draw up common definitions and proposals for resolving conflicts of jurisdiction between Member States and for an approximation of substantive criminal law as regards, for example, combating trafficking of human beings, money laundering, child pornography, high-tech crime (such as the spreading of viruses) and the sale and advertising of hacking devices. The principle should be that criminal activities ·off-line· were also deemed to be criminal activities ·on-line·. Where there was a common definition of crimes, mutual recognition of pre-trial orders would have to be ensured. The Commission was therefore asked to propose legislative measures and non-legislative initiatives which would enable a general framework for a policy on computer-related crimes to be established. The committee also recommended: defining measures available to law enforcement agencies for the collection of evidence; the setting up of an EU Cybercrime Forum bringing together law enforcement agencies, ISPs, telecommunications operators, civil liberties organisations, consumer representatives, data protection authorities and others; clearly defining the role of Europol and Eurojust in the fight against cybercrime; convening a conference of leading jurists from the Member States and the candidate countries; promoting European research into protection/prevention technologies, such as encryption; amending the Council of Europe Draft Convention on cybercrime (in which the US, Canada, Japan and South-Africa also participate); and intensifying the dialogue with the US in order to find a common strategy or at least to reduce the differences in the approaches to fighting cybercrime. ?

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The report by Mrs Charlotte CEDERSCHIÖLD (EPP-ED, S) was adopted by the European Parliament. (Please refer to the previous text). ?