



2017/2068(INI)

13.6.2017

POSITION IN THE FORM OF AMENDMENTS

of the Committee on the Internal Market and Consumer Protection

for the Committee on Civil Liberties, Justice and Home Affairs

on the fight against cybercrime
(2017/2068(INI))

Rapporteur: Anneleen Van Bossuyt

PA_Legam

AMENDMENTS

The Committee on the Internal Market and Consumer Protection calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to take into account the following amendments:

Amendment 1
Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas building confidence and trust in the online world is crucial to the creation and success of the Digital Single Market;

Amendment 2
Motion for a resolution
Recital A b (new)

Motion for a resolution

Amendment

Ab. whereas an effective legal framework for data protection will at the same time allow consumers and businesses to fully reap the benefits of the Digital Single Market and address cybercrime;

Amendment 3
Motion for a resolution
Recital I

Motion for a resolution

Amendment

I. whereas the constantly growing interconnectedness of people, places and things ***makes*** Internet of Things (IoT) devices an ideal target for cybercriminals;

I. whereas the constantly growing interconnectedness of people, places and things ***presents an increased risk of cybercrime as*** Internet of Things (IoT) devices ***are often not as well protected as traditional devices connected to the internet and as such are*** an ideal target for cybercriminals;

Amendment 4
Motion for a resolution
Paragraph 7 a (new)

Motion for a resolution

Amendment

7a. Underlines that cybercrime severely undermines the functioning of the Digital Single Market in reducing trust in digital service providers, undermining cross-border transactions and seriously harming the interests of consumers of digital services;

Amendment 5
Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. Urges the Member States to step up information exchanges on the challenges they face in the fight against cybercrime, as well as on solutions to address them;

11. Urges the Member States to step up information exchanges on the challenges they face in the fight against cybercrime, as well as on solutions to address them; ***calls on the Commission, in this regard, to promote effective cooperation and facilitate information exchange between competent authorities with a view to anticipating and managing potential risks, as provided for in the NIS Directive;***

Amendment 6
Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. Calls on the Commission and the Member States to launch awareness-raising campaigns to ensure that citizens, in particular children and other vulnerable users, and the private sector are aware of the risks posed by cybercrime, and to promote the use of security measures such as encryption;

13. Calls on the Commission and the Member States to launch awareness-raising campaigns to ensure that citizens, in particular children ***minors*** and other vulnerable users, and the private sector are aware of the risks posed by cybercrime, and to promote the use of security measures such as encryption;

Amendment 7
Motion for a resolution
Paragraph 16

Motion for a resolution

16. Considers enhanced cooperation **with** service providers to be a key factor in accelerating and streamlining mutual legal assistance and mutual recognition procedures;

Amendment

16. Considers enhanced cooperation **between competent authorities and** service providers to be a key factor in accelerating and streamlining mutual legal assistance and mutual recognition procedures;

Amendment 8
Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

16a. Considers that EU and national authorities should have the power to adopt interim measures to prevent the risk of serious and irreparable harm to consumers, in particular the suspension of a website, domain or a similar digital site, service or account, provided that the fundamental rights of EU citizens, rules on data protection and national law are respected;

Amendment

Amendment 9
Motion for a resolution
Paragraph 17

Motion for a resolution

17. Believes that **innovation should not be hampered by unnecessary red tape for software developers** and hardware producers; encourages the private sector to implement voluntary measures aimed at bolstering trust in the security of software and devices, such as the IoT trust label;

Amendment

17. Believes that **it is in the interests of developers of innovative software and of hardware producers to invest in solutions to prevent cybercrime;** encourages the private sector, **in this context,** to implement voluntary measures, **such as standards** aimed at bolstering trust in the security of software and devices, such as the IoT trust label, **developed on the basis of relevant EU legislation such as the NIS Directive;**

Amendment 10
Motion for a resolution
Paragraph 18

Motion for a resolution

18. *Calls on the Commission to put forward legislative measures setting out clear definitions and minimum penalties for the dissemination of fake news and online incitement to hate, the related obligations of internet service providers and penalties in the event of non-compliance;*

Amendment

deleted

Amendment 11
Motion for a resolution
Paragraph 19

Motion for a resolution

19. Calls on the Commission to investigate *the legal scope* for improving the accountability of service providers and for imposing an obligation to respond to foreign EU law-enforcement requests;

Amendment

19. Calls on the Commission to investigate *options* for improving the accountability of service providers and *intermediaries and the legal scope* for imposing an obligation to respond to foreign EU law-enforcement requests, *taking into account the principle of proportionality, in order to avoid introducing measures liable to hinder or make less attractive the exercise of the freedom of establishment and the freedom to provide services;*

Amendment 12
Motion for a resolution
Paragraph 19 a (new)

Motion for a resolution

Amendment

19a. Believes that guidance is needed from the Commission on the implementation of the intermediary liability framework in order to allow online platforms to comply with their

responsibilities and the rules on liability, to enhance legal certainty, and to increase user confidence; calls on the Commission to take further steps to that effect, and recalls that the e-Commerce Directive exempts intermediaries from liability for content only if they play a neutral and passive role in relation to the transmitted and/or hosted content but requires as well an expeditious reaction to remove or disable access to content when an intermediary has actual knowledge of infringement or illegal activity or information;

Amendment 13
Motion for a resolution
Paragraph 20

Motion for a resolution

Amendment

20. *Calls on the Member States to impose the same encryption obligations on online service providers as those, which apply to providers of traditional telecommunications services;*

deleted

Amendment 14
Motion for a resolution
Paragraph 21

Motion for a resolution

Amendment

21. *Underlines that* illegal online content *should be removed immediately*; welcomes, in this context, the progress achieved concerning the blocking and removal of illegal content online, but stresses the need for a stronger commitment on the part of *platform* service providers to respond quickly and effectively;

21. *Believes that issues related to* illegal online content *must be tackled in an efficient manner, including by restricting access to online content or through takedown procedures*; welcomes, in this context, the progress achieved concerning the blocking and removal of illegal content online, but stresses the need for a stronger commitment on the part of *competent authorities and digital* service providers to respond quickly and effectively;

Amendment 15
Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

Amendment

21 a. *Calls for the ‘follow the money’ approach to be applied, as outlined in its resolution of 9 June 2015 on ‘Towards a renewed consensus on the enforcement of Intellectual Property Rights: An EU Action Plan’¹, based on the regulatory framework of the E-Commerce Directive and the Intellectual Property Rights Enforcement Directive;*

¹ OJ C 407, 4.11.2016, p. 25.

Amendment 16
Motion for a resolution
Paragraph 21 b (new)

Motion for a resolution

Amendment

21b. *Stresses that, as stated in its resolution of 19 January 2016 on ‘Towards a Digital Single Market Act’¹, the limited liability of intermediaries is essential to the protection of the openness of the internet, fundamental rights, legal certainty and innovation; welcomes the Commission’s intention to provide guidance to assist online platforms in complying with the e-Commerce Directive; calls on the Commission to take further steps to that effect, recalling that platforms not playing a neutral role as defined in the e-Commerce Directive cannot claim liability exemption;*

¹ Texts adopted, P8_TA(2016)0009.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	8.6.2017
Result of final vote	+: 0 -: 0 0: 0