



**2017/2068(INI)**

9.6.2017

# **AMENDMENTS**

## **229 - 431**

**Draft report**  
**Elissavet Vozemberg-Vrionidi**  
(PE604.566v02-00)

The fight against Cybercrime  
(2017/2068(INI))



**Amendment 229**

**Cornelia Ernst**

**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;**

*deleted*

*Amendment*

Or. en

**Amendment 230**

**Miriam Dalli, Tanja Fajon, Miltiadis Kyrkos**

**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 with service providers to be a key factor in accelerating and streamlining mutual legal assistance and mutual recognition procedures, ***within the remits provided for by the European legal framework;***

Or. en

**Amendment 231**

**Jan Philipp Albrecht**

**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

*Amendment*

16. Considers enhanced cooperation with service providers to be a key factor in accelerating and streamlining mutual legal

assistance *and mutual recognition procedures*;

assistance *procedures; calls on providers of electronic communications services not established in the Union to designate in writing representatives in the Union*;

Or. en

**Amendment 232**  
**Eleftherios Synadinos**

**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 *and closer* cooperation with service providers to be a *means of prevention and a key pillar for accelerating and rationalising company assistance procedures through the provision of data to law enforcement and judicial authorities and the corresponding use of digital evidence*;

Or. el

**Amendment 233**  
**Anneleen Van Bossuyt**

on behalf of the Committee on the Internal Market and Consumer Protection

**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;

Or. en

**Amendment 234**

**Anneleen Van Bossuyt**

on behalf of the Committee on the Internal Market and Consumer Protection

**Motion for a resolution**

**Paragraph 16 a (new)**

*Motion for a resolution*

*Amendment*

**16a. Considers that EU and national authorities shall 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 fundamental rights of EU citizens, rules on data protection and national law are respected;**

Or. en

**Amendment 235**

**Jan Philipp Albrecht**

**Motion for a resolution**

**Paragraph 16 a (new)**

*Motion for a resolution*

*Amendment*

**16a. Reiterates that with respect to the Internet of Things, producers are the key starting point for tightening up liability regimes which will lead to a better quality of products and a more secure environment in terms of external access and the documented possibility for updates;**

Or. en

**Amendment 236**

**Ana Gomes**

**Motion for a resolution**  
**Paragraph 16 a (new)**

*Motion for a resolution*

*Amendment*

**16a.** *Welcomes initiatives such as the Code of Conduct on Countering Illegal Hate Speech Online and calls on the Commission to further strengthen cooperation with IT Companies in this area;*

Or. en

**Amendment 237**  
**Ana Gomes**

**Motion for a resolution**  
**Paragraph 16 b (new)**

*Motion for a resolution*

*Amendment*

**16b.** *Strongly believes there is no unilateral solution to fight cybercrime and stresses the importance of involving civil society, in particular technology expert groups, in all initiatives to ensure that their views and cooperation are engaged;*

Or. en

**Amendment 238**  
**Miriam Dalli, Tanja Fajon, Cătălin Sorin Ivan, Péter Niedermüller**

**Motion for a resolution**  
**Paragraph 17**

*Motion for a resolution*

*Amendment*

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

17. Believes that *it is in the interests of developers of innovative* software and hardware producers *to invest in solutions to prevent cybercrime; in this context,* encourages the private sector to implement voluntary measures, *aligned with*

and devices, such as the IoT trust label;

*internationally recognized 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*;

Or. en

### **Amendment 239**

**Anneleen Van Bossuyt**

on behalf of the Committee on the Internal Market and Consumer Protection

### **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 hardware producers to invest in solutions to prevent cybercrime; in this context*, encourages the private sector 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*;

Or. en

### **Amendment 240**

**Michal Boni, Elissavet Vozemberg-Vrionidi, Carlos Coelho**

### **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

##### *Amendment*

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;

and devices, such as the IoT trust label;  
*encourages the private sector to exchange information on the cybersecurity threats;*

Or. en

**Amendment 241**  
**Cornelia Ernst**

**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 not sufficient to encourage* the private sector to implement voluntary measures aimed at bolstering trust in the security of software and devices, such as the IoT trust label; *calls on the Commission to explore the whether and how software and hardware developers could be held responsible for failures to comply with security standards;*

Or. en

**Amendment 242**  
**John Procter**

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

Or. en



**Amendment 243**  
**Jan Philipp Albrecht**

**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. Encourages the private sector to implement voluntary measures ***aligned with internationally recognised standards*** aimed at bolstering trust in the security of software and devices, such as the IoT trust label;

Or. en

**Amendment 244**  
**Eleftherios Synadinos**

**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 innovation should not be hampered by unnecessary red tape, ***chiefly in the case of*** software developers and producers; encourages the private sector, ***through a cooperative approach,*** to implement ***essential*** measures aimed at bolstering trust in the security of software and devices ***in cooperation with institutional bodies;***

Or. el

**Amendment 245**  
**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

**Motion for a resolution**

**Paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

**17a.** *Expresses concern at the use by internet service providers of carrier-grade network address translation technologies (NAT CGN) which make it possible for several users to share a single IP address at the same time, jeopardising online security and liability; calls on the Member States to encourage internet service providers and network operators to take the steps needed to limit the number of users per IP address, phase out the use of CGN technologies and make the investment required to introduce as a matter of urgency the next generation of internet protocol addresses (version 6 - IPv6); calls on the Commission to monitor the progress made in this area and, if necessary, propose legislative measures;*

Or. fr

**Amendment 246**

**Monika Hohlmeier, Rachida Dati**

**Motion for a resolution**

**Paragraph 17 a (new)**

*Motion for a resolution*

*Amendment*

**17a.** *In light of the serious harmful impacts Carrier Grade NAT (CGN) technologies have on society in terms of online accountability, jeopardising security and curtailing innovation, calls upon Member States to urge Internet Access Providers and network operators operating on their territory, to take the necessary measures to phase out the use of CGN technologies and to make the necessary investments to adopt the next generation of Internet Protocol addresses*

*version 6 (IPv6) as a matter of urgency. Similarly, Internet Content Providers are requested to make all their services available to IPv6 as soon as possible. Calls upon the Commission to monitor the progress made and if necessary, put forward legislative measures to ensure a comprehensive adoption of IPv6 across the EU.*

Or. en

**Amendment 247**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

*Amendment*

**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;*

*deleted*

Or. en

**Amendment 248**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

*Amendment*

**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*

*deleted*

*obligations of internet service providers and penalties in the event of non-compliance;*

Or. en

**Amendment 249**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

*Amendment*

**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;* **deleted**

Or. en

**Amendment 250**  
**Miriam Dalli, Tanja Fajon**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

*Amendment*

**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;* **deleted**

Or. en

**Amendment 251**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

*Amendment*

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;* *deleted*

Or. en

**Amendment 252**  
**Anneleen Van Bossuyt**

on behalf of the Committee on the Internal Market and Consumer Protection

**Motion for a resolution**  
**Paragraph 18**

*Motion for a resolution*

*Amendment*

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;* 18. *deleted*

Or. en

**Amendment 253**  
**Luigi Morgano**

**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*

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; ***recalls that provisions concerning incitement to violence or hatred have to be applied in line with the jurisprudence of the European Court of Human Rights concerning the right to freedom of expression and information;***

Or. en

**Amendment 254**  
**Eleftherios Synadinos**

**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*

18. Calls on the Commission to put forward measures setting out clear definitions and ***appropriate*** penalties for the dissemination of fake news ***of a fraudulent and criminal nature, the*** online incitement to ***criminal activities, as well as*** the related obligations of internet service providers and penalties in the event of non-compliance, ***with due respect for fundamental rights and freedoms and to a degree that is proportionate with the goal of preserving these rights and freedoms;***

Or. el

**Amendment 255**  
**John Procter**

**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*

18. Calls on the Commission to *encourage Members States and international partners to ratify and implement existing treaties, such as the Budapest Convention on Cybercrime, which makes provisions regarding internet service providers' obligation to collect, within their existing technical ability, traffic data in real-time, and cooperate and assist the competent authorities in its collection or recording;*

Or. en

**Amendment 256**  
**Carlos Coelho**

**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*

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

Or. en

**Amendment 257**  
**Miriam Dalli, Tanja Fajon, Péter Niedermüller, Cătălin Sorin Ivan**

**Motion for a resolution**  
**Paragraph 18 a (new)**

*Motion for a resolution*

*Amendment*

***18a. Encourages Member States to work with Service Providers in order to ensure efficient “take downs” by the industry of illegal content, rather than blocking measures by Governments.***

Or. en

**Amendment 258**

**Michal Boni, Elissavet Vozemberg-Vrionidi, Carlos Coelho**

**Motion for a resolution**  
**Paragraph 18 a (new)**

*Motion for a resolution*

*Amendment*

***18a. Encourages service providers to join the established Code of Conduct on illegal online hate speech and encourages the Commission and participating companies to continue cooperation on that issue;***

Or. en

**Amendment 259**

**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

*Amendment*

***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;***

*deleted*



**Amendment 260**  
**Miriam Dalli, Tanja Fajon**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

*Amendment*

**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;**

*deleted*

Or. en

**Amendment 261**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

*Amendment*

**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;**

*deleted*

Or. en

**Amendment 262**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 19**

*Motion for a resolution*

*Amendment*

19. Calls on the Commission to

19. **Recognises that the current EU**

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

***and Member State legal frameworks can create challenges for service providers seeking to comply with law enforcement authority demands, and indeed potentially block such compliance, in particular in scenarios where multiple Member States are involved;*** calls on the Commission to investigate the legal scope for improving the **ability** of service providers ***to cooperate with law enforcement authorities*** and for imposing an obligation to respond to foreign EU law-enforcement requests ***subject to adequate safeguards;***

Or. en

### **Amendment 263**

**Anneleen Van Bossuyt**

on behalf of the Committee on the Internal Market and Consumer Protection

### **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;***

Or. en

### **Amendment 264**

**Luigi Morgano**

### **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 the legal scope for improving the accountability of service providers and for imposing an obligation to respond to foreign EU law-enforcement requests; ***calls on the Commission to consider the revision of the E-commerce Directive with regard to liability limitations for Internet service providers, with particular regard to reporting child pornography detected in their infrastructure to law enforcement authorities;***

Or. en

## Amendment 265

Axel Voss

### 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. ***Recognizes that the current EU and Member States legal framework can create challenges for services providers seeking to comply with law enforcement authority demands, in this regard*** calls on the Commission to investigate the legal scope for improving the ***ability*** of service providers ***to cooperate with law enforcement authorities*** and for imposing an obligation to respond to ***law-enforcement requests coming from third-states;***

Or. en

## Amendment 266

Eleftherios Synadinos

**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 **clarify** the legal scope for improving the accountability of service providers and **to investigate the need to impose** an obligation to respond to foreign EU law-enforcement requests, **with due respect for the principle of reciprocity**;

Or. el

**Amendment 267**  
**Nathalie Griesbeck**

**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 the legal scope for improving the accountability of service providers

Or. en

**Amendment 268**  
**Cornelia Ernst**

**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**

*Amendment*

19. Calls on the Commission to investigate the legal scope for improving the accountability of service providers;

*foreign EU law-enforcement requests;*

Or. en

**Amendment 269**

**Michal Boni, Elissavet Vozemberg-Vrionidi, Carlos Coelho**

**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 the legal scope for improving the accountability of service providers;

Or. en

**Amendment 270**

**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

**Motion for a resolution**

**Paragraph 19 a (new)**

*Motion for a resolution*

*19a. Calls on the Commission to work together with the Member States and the third countries concerned and with the private sector to draw up a common framework for cooperation with service providers in connection with requests to obtain specific categories of data, in particular subscriber data, where this is authorised by the laws of a third country or where another comparable solution is available which makes for the prompt, lawful disclosure of the data in question; this framework should seek to prevent inconsistent interpretations and conflicts between existing sets of rules and tackle the question of the non-disclosure of data*

*Amendment*

*requests; it should also lay down common necessity and proportionality criteria for requests made to service providers, so that lawful access to this data can be obtained;*

Or. fr

**Amendment 271**

**Anneleen Van Bossuyt**

on behalf of the Committee on the Internal Market and Consumer Protection

**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, enhance legal certainty, and increase user confidence; calls on the Commission to develop 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;*

Or. en

**Amendment 272**

**Nathalie Griesbeck**

**Motion for a resolution**

**Paragraph 19 a (new)**

*Motion for a resolution*

*Amendment*

**19a.** *Recognises that the current European and national legal frameworks can create challenges for service providers willing to comply with law enforcement authority requests ;calls on the Commission to improve the legal framework regarding this cooperation between service providers and law enforcement authorities, putting in place appropriate safeguards*

Or. en

**Amendment 273**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 19 b (new)**

*Motion for a resolution*

*Amendment*

**19b.** *Underlines the absolute necessity to protect law enforcement databases from security incidents and unlawful access since this is a matter of concern for individuals and is concerned by the extraterritorial reach of law enforcement authorities to access data in the context of criminal investigations and underlines the need to implement strong rules in that matter.*

Or. en

**Amendment 274**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 19 c (new)**

*Motion for a resolution*

*Amendment*

**19c.** *believes, therefore, that tackling such risks requires concerted and effective cooperation between law enforcement authorities, the private sector, governments and independent supervisory data protection authorities; insists on the necessity to guarantee adequate security for personal data, in accordance with Regulation (EU) 2016/679 and Directive (EU) 2016/680, as well as to minimise vulnerabilities through secured and decentralised database architectures;*

Or. en

**Amendment 275**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 19 d (new)**

*Motion for a resolution*

*Amendment*

**19 d.** *Calls on the Commission to propose options for initiatives to improve the efficiency and promote the use of Mutual Legal Assistance Treaties (MLATS) in order to counter the assumption of extraterritorial jurisdiction by third countries.*

Or. en

**Amendment 276**  
**Miriam Dalli, Tanja Fajon**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

*Amendment*

**20.** *Calls on the Member States to impose the same encryption obligations*

*deleted*



*on online service providers as those,  
which apply to providers of traditional  
telecommunications services;*

Or. en

**Amendment 277**  
**Nathalie Griesbeck**

**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***

Or. en

**Amendment 278**  
**Axel Voss**

**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***

Or. en

**Amendment 279**  
**Anneleen Van Bossuyt**  
on behalf of the Committee on the Internal Market and Consumer Protection

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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;***

*Amendment*

20. ***deleted***

Or. en

**Amendment 280**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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;***

*Amendment*

20. ***Calls on the Member States to establish encryption obligations for online service providers; considers that basic rules and requirements regarding encryption must exist for every provider of telecommunications services, whether 'traditional' or on-line;***

Or. el

**Amendment 281**  
**Michał Boni, Elissavet Vozemberg-Vrionidi, Carlos Coelho**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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;***

*Amendment*

20. ***Calls on the Member States to impose the same security obligations, including privacy-enhancing technologies on all providers, online service providers and providers of traditional***

telecommunications services;

Or. en

**Amendment 282**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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;

*Amendment*

20. Calls on the Member States to impose the same encryption obligations on **information society services** as those, which apply to **electronic communications** services;

Or. en

**Amendment 283**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 20**

*Motion for a resolution*

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;

*Amendment*

20. Calls on the **Commission and the** Member States to impose **mandatory end-to-end** encryption obligations on online service providers as **well as** traditional telecommunications services;

Or. en

**Amendment 284**  
**Miriam Dalli, Tanja Fajon, Miltiadis Kyrkos, Péter Niedermüller**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

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;

*Amendment*

21. ***Believes that issues related to illegal on-line content must be tackled in an efficient manner through takedown procedures*** welcomes, in this context, the progress achieved concerning the 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; ***further underlines the necessity to improve cooperation between competent authorities in exchanging the relevant information, especially between authorities of different Member States;***

Or. en

**Amendment 285**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

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;

*Amendment*

21. Underlines that illegal online content should be removed ***in an expeditious manner; reiterates that any measure to remove illegal online content based on terms and conditions should only be permitted if national procedural rules provide a possibility for users to assert their rights before a court after learning of such measures;*** welcomes, in this context, the progress achieved concerning the 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; ***welcomes the Commission's stated intention to provide guidance on notice-and-takedown procedures and urges the Commission to come forward with a legislative proposal on this matter;***

**Amendment 286**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

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;

*Amendment*

21. Underlines that illegal online content should be ***rendered inaccessible and, wherever possible, deleted***; welcomes, in this context, the progress achieved, but stresses the need for a stronger commitment on the part of platform service providers to respond quickly and effectively, ***without prejudice to the rights of the creators to compensation for injury or damage or the possible imposition of administrative fines by the supervisory bodies if the response is not in accordance with objective requirements and without ignoring possible technical challenges***;

**Amendment 287**  
**Rachida Dati, Monika Hohlmeier**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

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

*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; ***calls on the Member States to***

effectively;

***hold platforms which do not take the steps needed to remove illegal content online criminally liable;***

Or. fr

### **Amendment 288**

**Anneleen Van Bossuyt**

on behalf of the Committee on the Internal Market and Consumer Protection

#### **Motion for a resolution**

##### **Paragraph 21**

###### *Motion for a resolution*

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;

###### *Amendment*

21. ***Believes that issues related to illegal on-line content must be tackled in an efficient manner including by restricting access to on-line 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;

Or. en

### **Amendment 289**

**Elissavet Vozemberg-Vrionidi, Axel Voss, Carlos Coelho, Barbara Matera**

#### **Motion for a resolution**

##### **Paragraph 21**

###### *Motion for a resolution*

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

###### *Amendment*

21. Underlines that illegal online content should be removed immediately; ***highlights the role of ISPs in ensuring the fast and efficient removal of illegal online content at the request of the responsible law enforcement authority;*** welcomes, in

commitment on the part of platform service providers to respond quickly and effectively;

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;

Or. en

## **Amendment 290**

**Carlos Coelho, Elissavet Vozemberg-Vrionidi**

### **Motion for a resolution**

#### **Paragraph 21**

##### *Motion for a resolution*

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;

##### *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, ***in particular Code of Conduct on countering illegal online hate speech signed in 2016***, but stresses the need for a stronger commitment on the part of platform service providers to respond quickly and effectively;

Or. en

## **Amendment 291**

**Axel Voss**

### **Motion for a resolution**

#### **Paragraph 21**

##### *Motion for a resolution*

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

##### *Amendment*

21. Underlines that illegal online content should be removed immediately ***or if not needed for detection, investigation and prosecution as soon as possible*** ; welcomes, in this context, the progress

stresses the need for a stronger commitment on the part of platform service providers to respond quickly and effectively;

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;

Or. en

**Amendment 292**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

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;

*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; ***recognizes in this regard the contribution of the EU internet forum***

Or. en

**Amendment 293**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 21**

*Motion for a resolution*

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***

*Amendment*

21. Underlines that ***criminal*** online content, ***such as child sexual exploitation material***, should be removed immediately; welcomes, in this context, the progress achieved concerning the blocking and removal of ***criminal*** content online;



*commitment on the part of platform service providers to respond quickly and effectively;*

Or. en

**Amendment 294**  
**Barbara Matera, Elissavet Vozemberg-Vrionidi**

**Motion for a resolution**  
**Paragraph 21 a (new)**

*Motion for a resolution*

*Amendment*

**21a. Urges the Commission and the Member States to put in place all juridical measures to fight against the phenomenon of violence against women online and cyber bullying; in particular asks to the EU and the Member States to combine forces in order to create a criminal offence framework that obliges online corporations to delete or to stop the spreading of degrading, offensive and humiliating content; it also asks to put in place psychological support for women victims of violence online and girls cyber bullied;**

Or. en

**Amendment 295**  
**Anneleen Van Bossuyt**  
on behalf of the Committee on the Internal Market and Consumer Protection

**Motion for a resolution**  
**Paragraph 21 a (new)**

*Motion for a resolution*

*Amendment*

**21a. Calls for the application of the ‘follow the money’ approach, as outlined by the European Parliament resolution of 9 June 2015 on ‘Towards a renewed**

*consensus on the enforcement of Intellectual Property Rights; An EU Action Plan', based on the regulatory framework of the E-Commerce directive and IPRED directive;*

Or. en

**Amendment 296**

**Ana Gomes**

**Motion for a resolution**

**Paragraph 21 a (new)**

*Motion for a resolution*

*Amendment*

*21a. Underlines the crucial importance of providing continued and specific training and psychological support to content moderators in private and public entities assessing objectionable or illegal content online, as they should be considered the first-responders in this field.*

Or. en

**Amendment 297**

**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

**Motion for a resolution**

**Paragraph 21 a (new)**

*Motion for a resolution*

*Amendment*

*21a. Calls on service providers to make provision for clear types of referral and set up a properly defined back office infrastructure which makes it possible to act quickly and appropriately on referrals;*

Or. fr

**Amendment 298**

**Anneleen Van Bossuyt**

on behalf of the Committee on the Internal Market and Consumer Protection

**Motion for a resolution**

**Paragraph 21 b (new)**

*Motion for a resolution*

*Amendment*

**21b. Highlights that, in line with Parliament's Resolution, "Toward a Digital Single Market Act", 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 to remain compliant with the e-Commerce Directive; calls on the Commission to develop further steps to that effect, recalling that platforms not playing a neutral role as defined in the e-commerce Directive cannot claim liability exemption;**

Or. en

**Amendment 299**

**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

**Motion for a resolution**

**Paragraph 21 b (new)**

*Motion for a resolution*

*Amendment*

**21b. Calls on service providers to step up their efforts to raise awareness of the risks inherent in going online, in particular for children, by developing interactive tools and information materials;**

Or. fr

## Amendment 300

Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek

### Motion for a resolution

#### Paragraph 22

##### *Motion for a resolution*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need to allow lawful access to relevant information, even if it has been encrypted, if such access is imperative for reasons of security and justice;

##### *Amendment*

22. Is concerned that a considerable number of cybercrimes remain unpunished; ***deplores the fact that the use by internet service providers of technologies such as NAT CGN seriously hampers investigations by making it technically impossible to identify who exactly is using an IP address and thus who is responsible for online crimes;*** emphasises the need to allow lawful access to relevant information, even if it has been encrypted, if such access is imperative for reasons of security and justice;

Or. fr

## Amendment 301

Eleftherios Synadinos

### Motion for a resolution

#### Paragraph 22

##### *Motion for a resolution*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need to allow lawful access to relevant information, even if it has been encrypted, if such access is imperative for reasons of security and justice;

##### *Amendment*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need to ***continue to*** allow lawful access to relevant information, even if it has been encrypted, if such access is imperative for reasons of security and justice ***and in so far as the existing legal pathways and procedures permit, and for the regulatory authorities to clarify the procedural manner and access framework where necessary;***

Or. el

**Amendment 302**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Is concerned that a considerable number of cybercrimes remain unpunished; ***emphasises the need to allow lawful access to relevant information, even if it has been encrypted, if such access is imperative for reasons of security and justice;***

*Amendment*

22. Is concerned that a considerable number of cybercrimes remain unpunished;

Or. en

**Amendment 303**  
**Monika Hohlmeier, Rachida Dati**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need to allow lawful access to relevant information, even if it has been encrypted, if such access is imperative for reasons of security and justice;

*Amendment*

22. Is concerned that a considerable number of cybercrimes remain unpunished ***due to e.g. the adoption of technologies such as CGN by the Internet industry which prevent the attribution of crime online;*** emphasises the need to allow lawful access to relevant information, even if it has been encrypted, if such access is imperative for reasons of security and justice;

Or. en

**Amendment 304**  
**Miriam Dalli, Tanja Fajon, Péter Niedermüller, Miltiadis Kyrkos**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need to allow lawful access to relevant information, even if it has been encrypted, *if* such access is *imperative* for reasons of security and justice;

*Amendment*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need to allow lawful access to relevant information, even if it has been encrypted, *in the limited circumstances where* such access is *necessary and proportionate* for reasons of security and justice;

Or. en

**Amendment 305**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need to allow lawful access to relevant information, *even if it has been encrypted, if* such access is *imperative* for reasons of security and justice;

*Amendment*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need to allow *law enforcement authorities to have* lawful access to relevant information *in the limited circumstances where* such access is *necessary and proportionate* for reasons of security and justice;

Or. en

**Amendment 306**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 22**

*Motion for a resolution*

22. Is concerned that a considerable number of cybercrimes remain unpunished;

*Amendment*

22. Is concerned that a considerable number of cybercrimes remain unpunished;

emphasises *the need to allow lawful access to* relevant information, *even if it has been encrypted, if such access is imperative for reasons of security and justice*;

emphasises *that lawful hacking can allow law enforcement to access* relevant information *for reasons of security and justice without compelling a company to assist in compromising or weakening its own product*;

Or. en

### **Amendment 307**

**Michał Boni, Elissavet Vozemberg-Vrionidi, Carlos Coelho**

#### **Motion for a resolution**

##### **Paragraph 22**

###### *Motion for a resolution*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need *to allow lawful access to relevant information, even if it has been encrypted, if such access is imperative for reasons of security and justice*;

###### *Amendment*

22. Is concerned that a considerable number of cybercrimes remain unpunished; emphasises the need *for sufficient capabilities of judicial and law enforcement authorities to lead legitimate investigations*;

Or. en

### **Amendment 308**

**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

#### **Motion for a resolution**

##### **Paragraph 22 a (new)**

###### *Motion for a resolution*

###### *Amendment*

**22a. Calls on the Member States to step up and improve their cooperation in the fight against cybercrime, and emphasises the need to optimise the use of existing 24/7 contact points and make more frequent use of joint investigation teams, in order to facilitate information sharing and speed up mutual legal assistance procedures;**

**Amendment 309**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

*Amendment*

**23. Urges the Member States to exchange best practices regarding the circumvention of encryption and to cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;** *deleted*

Or. el

**Amendment 310**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

*Amendment*

**23. Urges the Member States to exchange best practices regarding the circumvention of encryption and to cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;** *deleted*

Or. en

**Amendment 311**  
**Miriam Dalli, Tanja Fajon, Péter Niedermüller**

**Motion for a resolution**  
**Paragraph 23**



*Motion for a resolution*

*Amendment*

**23. Urges the Member States to exchange best practices regarding the circumvention of encryption and to cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;**

*deleted*

Or. en

**Amendment 312**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

*Amendment*

**23. Urges the Member States to exchange best practices regarding the circumvention of encryption and to cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;**

**23. Urges the Member States *not to impose any obligation on encryption providers that would result in the weakening of the security of their network and services such as the creation or facilitation of back doors ; When the access to encrypted information is imperative for security and justice, then feasible solutions to decryption without weakening the protective mechanisms must be offered, both in legislation and through continuous technical evolution***

Or. en

**Amendment 313**  
**Luigi Morgano**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

*Amendment*

**23. Urges the Member States to**

**23. Urges the Member States to**

exchange best practices regarding the circumvention of encryption and to cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;

exchange best practices regarding the circumvention of encryption and to cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;  
***also encourages Member States to consider establishing a system to gather data aimed at monitoring the evolution of the phenomena in question;***

Or. en

**Amendment 314**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Urges the Member States to ***exchange best practices regarding the circumvention of encryption and to*** cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;

*Amendment*

23. Urges the Member States to cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;

Or. en

**Amendment 315**  
**Michał Boni, Carlos Coelho**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Urges the Member States to exchange best practices ***regarding the circumvention of encryption and to*** cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;

*Amendment*

23. Urges the Member States to exchange best practices to cooperate, in consultation with the judiciary, in aligning the conditions for the lawful use of investigative tools online;

**Amendment 316**  
**Carlos Coelho, Elissavet Vozemberg-Vrionidi**

**Motion for a resolution**  
**Paragraph 23 a (new)**

*Motion for a resolution*

*Amendment*

**23a. Urges Member States to fully cooperate with Eurojust in particular to determine and exchange best practices;**

Or. en

**Amendment 317**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 24**

*Motion for a resolution*

*Amendment*

24. Stresses that lawful hacking must be a measure *of last resort*, which has to be necessary, proportionate, and in full compliance with fundamental rights and EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for lawful hacking activities, including restrictions on the use and duration of lawful hacking tools, to set up an oversight mechanism, and to provide effective legal remedies for the targets of these hacking activities;

24. ***Calls on the Member States to make a full use of lawful hacking and on the European Union to promote this instrument*** ; Stresses that lawful hacking must be a measure, which has to be necessary, proportionate, and in full compliance with fundamental rights and EU data protection and case law; calls on all Member States to establish clear rules regarding the ***prior and judicial*** authorisation process for lawful hacking activities, including restrictions on the use and duration of lawful hacking tools, to set up an oversight mechanism, and to provide effective legal remedies for the targets of these hacking activities;

Or. en

## Amendment 318

Miriam Dalli, Tanja Fajon, Péter Niedermüller

### Motion for a resolution

#### Paragraph 24

##### *Motion for a resolution*

24. Stresses that lawful hacking ***must be a measure of last resort, which has to be*** necessary, proportionate, and in full compliance with fundamental rights and EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for lawful hacking activities, ***including restrictions on the use and duration of lawful hacking tools, to set up an oversight mechanism, and to provide effective legal remedies for the targets of these hacking activities;***

##### *Amendment*

24. Stresses that lawful hacking ***can be a highly effective measure to combat unlawful hacking, on condition that it is*** necessary, proportionate, and in full compliance with fundamental rights and EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for lawful hacking activities ***and encourages Member States to engage with such communities in order to encourage those who engage in various ICT activities to take a more active role in ‘white hat’ hacking and the reporting of illegal content, such as child sexual abuse material***

Or. en

## Amendment 319

Eleftherios Synadinos

### Motion for a resolution

#### Paragraph 24

##### *Motion for a resolution*

24. Stresses that lawful hacking must be ***a measure of last resort***, which has to be necessary, proportionate, and in full compliance with fundamental rights and EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for lawful hacking activities, including restrictions on the use and duration of lawful hacking tools, ***to set up an oversight mechanism***, and to provide effective legal

##### *Amendment*

24. Stresses that lawful hacking must be ***an available instrument and tool*** which has to be necessary, proportionate, and in full compliance with fundamental rights and EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for lawful hacking activities, including restrictions on the use and duration of lawful hacking tools, ***with internal oversight mechanisms***, and to provide

remedies for the targets of these hacking activities;

effective legal remedies for the targets of these hacking activities *if this is deemed appropriate by an independent judicial body*;

Or. el

## **Amendment 320**

**Michał Boni, Elissavet Vozemberg-Vrionidi, Carlos Coelho**

### **Motion for a resolution**

#### **Paragraph 24**

##### *Motion for a resolution*

24. Stresses that lawful *hacking* must be a measure of last resort, which has to be necessary, proportionate, and in full compliance with fundamental rights and EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for lawful *hacking* activities, including restrictions on the use and duration of lawful *hacking* tools, to set up an oversight mechanism, and to provide effective legal remedies for the targets of these *hacking* activities;

##### *Amendment*

24. Stresses that lawful *interception* must be a measure of last resort, which has to be necessary, proportionate, *based on due legal process* and in full compliance with fundamental rights and EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for lawful *interception* activities, including restrictions on the use and duration of lawful *interception* tools, to set up an oversight mechanism, and to provide effective legal remedies for the targets of these *interception* activities;

Or. en

## **Amendment 321**

**Cornelia Ernst**

### **Motion for a resolution**

#### **Paragraph 24**

##### *Motion for a resolution*

24. Stresses that lawful hacking must be a measure of last resort, which has to be necessary, proportionate, and in full compliance with fundamental rights and

##### *Amendment*

24. Stresses that lawful hacking must be a measure of last resort, which has to be necessary, proportionate, and in full compliance with fundamental rights and

EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for lawful hacking activities, including restrictions on the use and duration of lawful hacking tools, to set up an oversight mechanism, and to provide effective legal remedies for the targets of these hacking activities;

EU data protection and case law; calls on all Member States to establish clear rules regarding the authorisation process for *prior judicial authorization of* lawful hacking activities, including restrictions on the use and duration of lawful hacking tools, to set up an oversight mechanism, and to provide effective legal remedies for the targets of these hacking activities;

Or. en

### **Amendment 322**

**Miriam Dalli, Tanja Fajon, Miltiadis Kyrkos, Péter Niedermüller**

#### **Motion for a resolution**

##### **Paragraph 24 a (new)**

*Motion for a resolution*

*Amendment*

**24a. Encourages Europol to put together an anonymous reporting system within the Darknet, which will allow persons to report illegal content, such as depictions of child sexual abuse material, to authorities using the same technical safeguards implemented by many press organisations who use similar systems to facilitate the exchange of sensitive data to journalists in a way which allows for a greater degree of anonymity and security than is afforded by conventional e-mail.**

Or. en

### **Amendment 323**

**Elissavet Vozemberg-Vrionidi, Axel Voss, Barbara Matera**

#### **Motion for a resolution**

##### **Paragraph 24 a (new)**

*Motion for a resolution*

*Amendment*

**24a. Regrets that the lack of a**

*European data retention regime causes uncertainty about the possibilities to obtain data from private parties; calls therefore for a new legislative initiative to be set forth in order to mitigate the fragmentation of the legal framework on data retention across the Union;*

Or. en

**Amendment 324**

**Miriam Dalli, Tanja Fajon, Miltiadis Kyrkos, Péter Niedermüller**

**Motion for a resolution**

**Paragraph 24 b (new)**

*Motion for a resolution*

*Amendment*

*24b. Encourages Member States to ensure that Victims of individual cyber-attacks can fully benefit from all of the rights enshrined in Directive 2012/29/EU.*

Or. en

**Amendment 325**

**Jan Philipp Albrecht**

**Motion for a resolution**

**Paragraph 25**

*Motion for a resolution*

*Amendment*

*25. Calls on the Member States to notify each other about breaches of their territorial sovereignty as part of investigations conducted due to lack of information about the location of the hacked device;*

*deleted*

Or. en

**Amendment 326**  
**Miriam Dalli, Tanja Fajon**

**Motion for a resolution**  
**Paragraph 25**

*Motion for a resolution*

*Amendment*

25. *Calls on the Member States to notify each other about breaches of their territorial sovereignty as part of investigations conducted due to lack of information about the location of the hacked device;*

*deleted*

Or. en

**Amendment 327**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 25**

*Motion for a resolution*

*Amendment*

25. *Calls on the Member States to notify each other about breaches of **their** territorial sovereignty as part of investigations conducted due to lack of information about the location of the hacked device;*

25. *Calls on the Member States to notify each other about breaches of **the digital sphere within their national territory and to exchange data relating to intra-Community cybercrime of a cross-border nature within the framework of ongoing investigations;***

Or. el

**Amendment 328**  
**Axel Voss**

**Motion for a resolution**  
**Paragraph 25**

*Motion for a resolution*

*Amendment*

25. *Calls on the Member States to notify each other about breaches of their*

25. *Calls on the Member States to notify each other **through Europol** about*



territorial sovereignty as part of investigations conducted due to lack of information about the location of the hacked device;

breaches of their territorial sovereignty as part of investigations conducted due to lack of information about the location of the hacked device;

Or. en

**Amendment 329**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 26**

*Motion for a resolution*

*Amendment*

**26.** *Stresses the need to minimise the risks posed to the privacy of internet users by leaks of exploits or tools used by law-enforcement authorities as part of their legitimate investigations;*

*deleted*

Or. en

**Amendment 330**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 26**

*Motion for a resolution*

*Amendment*

**26.** Stresses the need to minimise the risks posed to the privacy of internet users by leaks of exploits or tools used by law-enforcement authorities as part of their legitimate investigations;

**26.** Stresses the need to minimise the risks posed to the privacy of internet users by leaks of exploits or tools used by law-enforcement authorities as part of their legitimate investigations; ***underlines in this regard that exploits and vulnerabilities should be notified to the manufacturer as soon as possible and without exception;***

Or. en

**Amendment 331**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 26**

*Motion for a resolution*

26. Stresses the need to minimise the risks posed *to* the privacy of internet users by leaks of exploits or tools used by law-enforcement authorities as part of their *legitimate* investigations;

*Amendment*

26. Stresses the need to minimise the risks posed *for* the privacy *and security* of internet users by leaks of exploits or *other* tools used by law-enforcement authorities as part of their investigations;

Or. el

**Amendment 332**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 27**

*Motion for a resolution*

27. Emphasises that judicial and law enforcement authorities have to be equipped with sufficient capabilities and funding to *respond* effectively *to* cybercrime;

*Amendment*

27. Emphasises that judicial and law enforcement authorities have to be equipped with sufficient capabilities *in terms of specialised personnel and logistical digital infrastructure* and funding to effectively *investigate* cybercrime;

Or. el

**Amendment 333**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 28**

*Motion for a resolution*

28. *Underlines that the patchwork of separate, territorially defined national jurisdictions causes difficulties in*

*deleted*

*Amendment*

*determining the applicable law in transnational interactions and gives rise to legal uncertainty, thereby preventing cooperation across borders, which is necessary to deal efficiently with misuses online;*

Or. en

**Amendment 334**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 28**

*Motion for a resolution*

28. Underlines that the *patchwork of separate, territorially defined national jurisdictions causes difficulties* in determining the applicable law in transnational interactions and *gives* rise to legal uncertainty, thereby preventing cooperation across borders, which is necessary to deal *efficiently with misuses online;*

*Amendment*

28. Underlines that the *fragmented judicial framework, if not correctly regulated or* defined, *will cause delays* in determining the applicable law in transnational interactions and *may give* rise to *related* legal uncertainty, thereby preventing *the unrestricted and the maximum possible and most effective* cooperation across borders, which is necessary to deal *rapidly with possible criminal abuses in cyberspace;*

Or. el

**Amendment 335**  
**Miriam Dalli, Miltiadis Kyrkos, Tanja Fajon**

**Motion for a resolution**  
**Paragraph 28**

*Motion for a resolution*

28. Underlines that the patchwork of separate, territorially defined national jurisdictions causes difficulties in determining the applicable law in transnational interactions and gives rise to

*Amendment*

28. Underlines that the patchwork of separate, territorially defined national jurisdictions causes difficulties in determining the applicable law in transnational interactions and gives rise to

legal uncertainty, thereby preventing cooperation across borders, which is necessary to deal efficiently with *misuses online*;

legal uncertainty, thereby preventing cooperation across borders, which is necessary to deal efficiently with *cybercrime*

Or. en

**Amendment 336**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 28**

*Motion for a resolution*

28. Underlines that the patchwork of separate, territorially defined national jurisdictions causes difficulties in determining the applicable law in transnational interactions and gives rise to legal uncertainty, thereby preventing cooperation across borders, which is necessary to deal efficiently with *misuses online*;

*Amendment*

28. Underlines that the patchwork of separate, territorially defined national jurisdictions causes difficulties in determining the applicable law in transnational interactions and gives rise to legal uncertainty, thereby preventing cooperation across borders, which is necessary to deal efficiently with *cybercrime*;

Or. en

**Amendment 337**  
**Luigi Morgano**

**Motion for a resolution**  
**Paragraph 28 a (new)**

*Motion for a resolution*

***28a. Welcomes recent legislative developments to fight cyberbullying in different member States, such as in Italy, where the law focuses on aspects concerning the education of minors and foresees, among other things, the appointment of a referent in every educational institution, and that the protected subjects (minors over 14 years***

*Amendment*

*of age, but also parents or those who have responsibility over the minor) can ask to the provider of the website or of the social media the blacking-out, the rapid removal or blocking of personal data of the minor disseminated online; in this context, recalls the importance of the so-called "right to be forgotten", especially in the online environment;*

Or. en

**Amendment 338**

**Elissavet Vozemberg-Vrionidi, Michał Boni, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**

**Paragraph 28 a (new)**

*Motion for a resolution*

*Amendment*

*28a. Stresses the need to prioritize the development of shared procedural standards on enforcement jurisdiction in cyberspace, at European and in the long term, at global level, which determine the territorial factors that provide grounds for the applicable law in cyberspace and define investigative measures which can be used regardless of geographic borders; welcomes, in this regard, the work done by the Cloud Evidence Group of the Council of Europe;*

Or. en

**Amendment 339**

**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

**Motion for a resolution**

**Paragraph 28 a (new)**

*Motion for a resolution*

*Amendment*

*28a. Emphasises the need to develop*

*the practical basis for a common EU approach to the issue of jurisdiction in cyberspace, as pointed out at the informal meeting of justice and home affairs ministers held on 26 January 2016;*

Or. fr

**Amendment 340**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 28 a (new)**

*Motion for a resolution*

*Amendment*

*28a. Calls on the Commission to set out clear definitions of the different types of cybercrime and to examine the necessity for a legislative instrument that will set minimum rules on the definitions and minimum penalties regarding cybercrimes*

Or. en

**Amendment 341**  
**Elissavet Vozemberg-Vrionidi, Michal Boni, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**  
**Paragraph 28 b (new)**

*Motion for a resolution*

*Amendment*

*28b. Recognizes that such a common European approach, which needs to respect fundamental rights and privacy, will build trust among stakeholders, reduce the treatment delays of cross-border requests, establish interoperability among heterogeneous actors and give the opportunity to incorporate due process requirements in operational frameworks;*

Or. en

**Amendment 342**

**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

**Motion for a resolution**

**Paragraph 28 b (new)**

*Motion for a resolution*

*Amendment*

**28b. Calls on those Member States which have not yet done so to ratify and apply in full the Convention on Cybercrime of 23 November 2001 and its additional protocols;**

Or. fr

**Amendment 343**

**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**

**Paragraph 29**

*Motion for a resolution*

*Amendment*

**29. Underlines that a common European approach to criminal justice in cyberspace is a matter of priority, as it will improve the enforcement of the rule of law in cyberspace and facilitate the obtaining of e-evidence in criminal proceedings;**

*deleted*

Or. fr

**Amendment 344**

**Beatrix von Storch**

**Motion for a resolution**

**Paragraph 29**

*Motion for a resolution*

*Amendment*

29. *Underlines that a common European approach to criminal justice in cyberspace is a matter of priority, as it will improve the enforcement of the rule of law in cyberspace and facilitate the obtaining of e-evidence in criminal proceedings;*

*deleted*

Or. en

**Amendment 345**  
**Miriam Dalli, Tanja Fajon**

**Motion for a resolution**  
**Paragraph 29**

*Motion for a resolution*

29. Underlines that a common European approach to criminal justice in cyberspace is a matter of priority, *as it will improve the enforcement of the rule of law in cyberspace and facilitate the obtaining of e-evidence in criminal proceedings;*

*Amendment*

29. Underlines that a common European approach to criminal justice in cyberspace is a matter of priority

Or. en

**Amendment 346**  
**Maria Grapini**

**Motion for a resolution**  
**Paragraph 29**

*Motion for a resolution*

29. Underlines that a common European approach to criminal justice in cyberspace is a matter of priority, as it will improve the enforcement of the rule of law in cyberspace and facilitate the obtaining of e-evidence in criminal proceedings;

*Amendment*

29. Underlines that a common European approach to criminal justice in cyberspace is a matter of priority, as it will improve the enforcement of the rule of law in cyberspace and facilitate the obtaining of e-evidence in criminal proceedings, *and will contribute to the speedy conclusion of cases;*



**Amendment 347**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 29**

*Motion for a resolution*

29. Underlines that a **common** European approach to criminal justice in cyberspace is a **matter of priority, as it will improve** the enforcement of the rule of law in cyberspace and **facilitate** the obtaining of e-evidence in criminal proceedings;

*Amendment*

29. Underlines that a **coordinated** European approach **by the Member States** to criminal justice in cyberspace is a **precondition for improving** the enforcement of the rule of law in cyberspace and **facilitating** the obtaining of e-evidence **that can be used in court** in criminal proceedings;

Or. el

**Amendment 348**  
**Elissavet Vozemberg-Vrionidi, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**  
**Paragraph 29 a (new)**

*Motion for a resolution*

*Amendment*

**29a. Welcomes the ongoing works of the Commission on a cooperation platform with a secure communication channel for digital exchanges of European Investigation Orders (EIOs) for e-evidence and replies between EU judicial authorities; invites the Commission in association with Member States and service providers to move forward with using aligned forms and tools in order to facilitate authentication, to ensure swift procedures and to increase transparency and accountability of the process of securing and obtaining e-evidence; stresses in this context that streamlining service providers' policies**

*will help reduce the heterogeneity of approaches, notably regarding procedures and conditions for granting access to the requested data;*

Or. en

**Amendment 349**

**Elissavet Vozemberg-Vrionidi, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**

**Paragraph 29 b (new)**

*Motion for a resolution*

*Amendment*

*29b. Calls on the Commission to put forward a European legal framework which facilitates cross-border access to e-evidence while preserving successful cooperation models between Member States where they exist; believes that such a framework should include harmonized rules to determine the status of a provider as domestic or foreign, mitigating measures such as notifications to other possibly affected countries, the obligation of service providers operating in the EU to respond to requests from foreign EU law enforcement authorities, as well as conditions and minimum safeguards for such direct access in full compliance with fundamental rights and EU data protection law; stresses that this will reinforce mutual trust and loyal cooperation between the Member States, give legal certainty to and reduce the level of complexity for stakeholders and remove conflicting obligations, which constitute a great obstacle to cooperation;*

Or. en

**Amendment 350**

**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

*Amendment*

**30.** *Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;*

*deleted*

Or. en

**Amendment 351**

**Elissavet Vozemberg-Vrionidi, Michał Boni, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

*Amendment*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; ***Underlines that establishment of 24/7 Single Points of Contact within Member States will improve direct cooperation with service providers, facilitate access to e-evidence and sharing of information as well as accelerate the MLA proceedings;*** urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;

Or. en

## Amendment 352

Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek

### Motion for a resolution

#### Paragraph 30

##### *Motion for a resolution*

30. Underlines the importance of close cooperation between law enforcement authorities **and the private sector** on the issue of access to e-evidence; urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;

##### *Amendment*

30. Underlines the ***need to find ways of seizing and obtaining e-evidence more quickly and the*** importance of close cooperation between law enforcement authorities, ***third countries and service providers active on European territory*** on the issue of access to e-evidence; urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;

Or. fr

## Amendment 353

Eleftherios Synadinos

### Motion for a resolution

#### Paragraph 30

##### *Motion for a resolution*

30. Underlines the ***importance*** of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;

##### *Amendment*

30. Underlines the ***value*** of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; ***recalls the value of mutual cooperation between national law enforcement authorities;*** urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests, ***in so far as the ban is not adequately justified;***

Or. el

**Amendment 354**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; ***urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;***

*Amendment*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence;

Or. en

**Amendment 355**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; ***urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;***

*Amendment*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence;

Or. en

**Amendment 356**  
**Miriam Dalli, Tanja Fajon**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; ***urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;***

*Amendment*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence ***in accordance with Regulation 2016/679, directive 2016/680 and by taking into account the MLA agreements***

Or. en

**Amendment 357**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 30**

*Motion for a resolution*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; ***urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to foreign law enforcement requests;***

*Amendment*

30. Underlines the importance of close cooperation between law enforcement authorities and the private sector on the issue of access to e-evidence; ***urges the Member States concerned to eliminate criminal law provisions prohibiting domestic service providers from responding to other EU Member States' law enforcement requests;***

Or. en

**Amendment 358**  
**Axel Voss, Elissavet Vozemberg-Vrionidi**

**Motion for a resolution**  
**Paragraph 30 a (new)**

*Motion for a resolution*

*Amendment*

**30a.** *Stresses the need for an EU e-evidence Framework to include sufficient safeguard for the rights and freedoms of all concerned; highlights that this should include a requirement that requests for e-evidence are directed in the first instance to the controller or processor of data, in order to ensure that the data protection safeguards are respected;*

Or. en

**Amendment 359**

**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**

**Paragraph 31**

*Motion for a resolution*

*Amendment*

**31.** *Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose an obligation on service providers to respond to requests from third countries, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;*

*deleted*

Or. fr

**Amendment 360**

**Miriam Dalli, Tanja Fajon**

**Motion for a resolution**

**Paragraph 31**

*Motion for a resolution*

*Amendment*

**31.** *Calls on the Commission to put*

*deleted*

*forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose an obligation on service providers to respond to requests from third countries, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;*

Or. en

**Amendment 361**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 31**

*Motion for a resolution*

*Amendment*

**31.** *Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose an obligation on service providers to respond to requests from third countries, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;*

*deleted*

Or. en

**Amendment 362**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 31**

*Motion for a resolution*

*Amendment*

**31.** *Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to*

**31.** *Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to*



determine the status of a provider as domestic or foreign, ***and to impose an obligation on service providers to respond to requests from third countries***, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

determine the status of a provider as domestic or foreign, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

Or. en

**Amendment 363**  
**Nathalie Griesbeck**

**Motion for a resolution**  
**Paragraph 31**

*Motion for a resolution*

31. Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, ***and to impose an obligation on service providers to respond to requests from third countries***, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

*Amendment*

31. Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

Or. en

**Amendment 364**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 31**

*Motion for a resolution*

31. Calls on the Commission to ***put forward a European*** legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose ***an***

*Amendment*

31. Calls on the Commission to ***clarify the common*** legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose ***a***

obligation on service providers to respond to requests from *third countries*, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

*specific* obligation on service providers to respond to requests from *States only in accordance with the principle of reciprocity*, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

Or. el

**Amendment 365**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 31**

*Motion for a resolution*

31. Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose an obligation on service providers to respond to requests from *third countries*, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

*Amendment*

31. Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose an obligation on service providers to respond to requests from *other EU Member States' law enforcement authorities*, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

Or. en

**Amendment 366**  
**Michal Boni, Elissavet Vozemberg-Vrionidi, Carlos Coelho**

**Motion for a resolution**  
**Paragraph 31**

*Motion for a resolution*

31. Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose an obligation on service providers to respond

*Amendment*

31. Calls on the Commission to put forward a European legal framework for e-evidence, including harmonised rules to determine the status of a provider as domestic or foreign, and to impose an obligation on service providers to respond

to requests from third countries, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

to requests *based on due legal process* from third countries, with a view to ensuring legal certainty for stakeholders and removing obstacles to cooperation;

Or. en

**Amendment 367**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 31 a (new)**

*Motion for a resolution*

*Amendment*

*31a. Stresses the need for any e-evidence framework to include sufficient safeguards for the rights and freedoms of all concerned; highlights that this should include a requirement that requests for e-evidence are directed in the first instance to the controllers or owners of the data, in order to ensure that their rights – and the rights of those to whom the data relates (for example their entitlement to assert legal privilege, and seek legal redress in the case of disproportionate or otherwise unlawful access) – are respected; also highlights the need to ensure any legal framework protects providers and all other parties from requests that could create conflicts of law or otherwise impinge on the sovereignty of other States;*

Or. en

**Amendment 368**  
**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

**Motion for a resolution**  
**Paragraph 31 a (new)**

*Motion for a resolution*

*Amendment*

**31a.** *Calls on the Commission to work closely with the Member States, Eurojust and third countries to consider and draw up recommendations on ways of adapting, if necessary, the existing standardised forms and procedures used in making requests to seize and obtain e-evidence;*

Or. fr

**Amendment 369**

**Gérard Deprez, Louis Michel, Hilde Vautmans, Petr Ježek**

**Motion for a resolution**

**Paragraph 31 b (new)**

*Motion for a resolution*

*Amendment*

**31b.** *Calls on the Commission to develop a secure online portal for electronic requests and replies concerning e-evidence and the corresponding procedures and guidelines and training modules on the effective use of the existing frameworks used when seizing and obtaining e-evidence, including guidelines to clarify when, under the existing rules, the use of mutual legal assistance or mutual recognition instruments is not necessary;*

Or. fr

**Amendment 370**

**Miriam Dalli, Tanja Fajon**

**Motion for a resolution**

**Paragraph 32**

*Motion for a resolution*

*Amendment*

**32.** *Calls on the Member States to*

*deleted*

*implement fully the EIO Directive for the purposes of the effective securing and obtaining of e-evidence in the EU, as well as to include specific provisions relating to cyberspace in their national penal codes in order to facilitate the admissibility of e-evidence in court and to issue clearer guidance to judges regarding the penalisation of cybercrime;*

Or. en

**Amendment 371**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 32**

*Motion for a resolution*

*Amendment*

**32.** *Calls on the Member States to implement fully the EIO Directive for the purposes of the effective securing and obtaining of e-evidence in the EU, as well as to include specific provisions relating to cyberspace in their national penal codes in order to facilitate the admissibility of e-evidence in court and to issue clearer guidance to judges regarding the penalisation of cybercrime;*

*deleted*

Or. en

**Amendment 372**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 32**

*Motion for a resolution*

*Amendment*

**32.** *Calls on the Member States to implement fully the EIO Directive for the purposes of the effective securing and*

**32.** *Calls on the Member States to ensure the effective securing and obtaining of e-evidence in the EU, as well as to*

obtaining of e-evidence in the EU, as well as to include specific provisions relating to cyberspace in their national penal codes in order to facilitate the admissibility of e-evidence in court and to issue clearer guidance to judges regarding the penalisation of cybercrime;

include specific provisions relating to cyberspace in their national penal codes in order to facilitate the admissibility of e-evidence in court and to issue clearer guidance to judges regarding the penalisation of cybercrime ***by determining the corresponding national legal framework, which the judicial and prosecution body will be called upon to interpret and implement;***

Or. el

**Amendment 373**  
**Beatrix von Storch**

**Motion for a resolution**  
**Subheading 6**

*Motion for a resolution*

*Amendment*

***Capacity-building at European level***

***deleted***

Or. en

**Amendment 374**  
**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**  
**Paragraph 33**

*Motion for a resolution*

*Amendment*

**33. *Recognises the important contribution of the Justice and Home Affairs (JHA) agencies, especially the European Cybercrime Centre (EC3) of Europol and Eurojust, as well as the European Union Agency for Network and Information Security (ENISA), to the fight against cybercrime;***

***deleted***

Or. fr

**Amendment 375**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 33**

*Motion for a resolution*

*Amendment*

**33. Recognises the important contribution of the Justice and Home Affairs (JHA) agencies, especially the European Cybercrime Centre (EC3) of Europol and Eurojust, as well as the European Union Agency for Network and Information Security (ENISA), to the fight against cybercrime;**

*deleted*

Or. en

**Amendment 376**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 33**

*Motion for a resolution*

*Amendment*

**33. Recognises the *important* contribution of the Justice and Home Affairs (JHA) agencies, *especially the European Cybercrime Centre (EC3) of Europol and Eurojust, as well as the European Union Agency for Network and Information Security (ENISA), to the fight against cybercrime;***

**33. Recognises the contribution of the Justice and Home Affairs (JHA) agencies *of* the European Union;**

Or. el

**Amendment 377**  
**Axel Voss**

**Motion for a resolution**

### Paragraph 33

#### *Motion for a resolution*

33. Recognises the important contribution *of the Justice and Home Affairs (JHA) agencies, especially* the European Cybercrime Centre (EC3) of Europol and Eurojust, as well as the European Union Agency for Network and Information Security (ENISA), to the fight against cybercrime;

#### *Amendment*

33. Recognises the important contribution the European Cybercrime Centre (EC3) of Europol and Eurojust, as well as the European Union Agency for Network and Information Security (ENISA), to the fight against cybercrime;

Or. en

### Amendment 378

Eleftherios Synadinos

#### Motion for a resolution

##### Paragraph 33 a (new)

#### *Motion for a resolution*

#### *Amendment*

***33a. Recognises that one of the nine thematic areas of Europol's EMPACT Multi-Annual Strategic Plan 2013-2017 prioritises the fight against cybercrime, which is committed by organised crime groups and is a particularly lucrative activity for the members of these gangs, causes serious harm to its victims and affects critical infrastructure and information systems in the Union; calls on Europol to regularly review and update or re-adjust its strategic plan on the basis of the latest data;***

Or. el

### Amendment 379

Nathalie Griesbeck

#### Motion for a resolution

##### Paragraph 33 a (new)



*Motion for a resolution*

*Amendment*

**33a.** *Asks for the revision of the ENISA mandate and the reinforcement of the national cybersecurity agencies; calls for a reinforcement of the ENISA mandate, staff and resources, that should also include more links with Europol and industry stakeholders.*

Or. en

**Amendment 380**  
**Carlos Coelho**

**Motion for a resolution**  
**Paragraph 33 a (new)**

*Motion for a resolution*

*Amendment*

**33a.** *Calls on the Commission to present a proposal reinforcing the mandate of ENISA;*

Or. en

**Amendment 381**  
**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**  
**Paragraph 34**

*Motion for a resolution*

*Amendment*

**34.** *Calls on Europol to support national law enforcement authorities in setting up secure and adequate transmission channels;*

*deleted*

Or. fr

**Amendment 382**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 34**

*Motion for a resolution*

*Amendment*

**34.** *Calls on Europol to support national law enforcement authorities in setting up secure and adequate transmission channels;*

*deleted*

Or. en

**Amendment 383**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 34**

*Motion for a resolution*

*Amendment*

**34.** *Calls on Europol to support national law enforcement authorities in setting up secure and adequate transmission channels;*

**34.** *Calls on Europol to **continue to** support national law enforcement authorities in setting up secure and adequate transmission channels **within the limits of the agency's mandate**;*

Or. el

**Amendment 384**  
**Elissavet Vozemberg-Vrionidi, Michał Boni, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**  
**Paragraph 34 a (new)**

*Motion for a resolution*

*Amendment*

**34a.** *Deplores that currently no EU-standards for training and certification exist; acknowledges that future trends in cybercrime require an increasing level of expertise from practitioners; welcomes that existing initiatives such as the*

*European Cybercrime Training and Education Group (ECTEG), the Training of Trainers (TOT) Project and the training activities under the EU Policy Cycle framework are already paving the way towards addressing the expertise gap at EU level;*

Or. en

**Amendment 385**  
**Miltiadis Kyrkos**

**Motion for a resolution**  
**Paragraph 34 a (new)**

*Motion for a resolution*

*Amendment*

**34a.** *Calls for Europol to be given the necessary means to develop new high-tech capabilities in order to be able to respond effectively to the growing incidence of child abuse images in the Darknet;*

Or. el

**Amendment 386**  
**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**  
**Paragraph 35**

*Motion for a resolution*

*Amendment*

**35.** *Calls on the European Union Agency for Law Enforcement Training (CEPOL) and the European Judicial Training Network to extend their offer of training courses dedicated to cybercrime-related topics to competent law enforcement bodies and judicial authorities across the Union;*

*deleted*

Or. fr

**Amendment 387**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 35**

*Motion for a resolution*

*Amendment*

**35. Calls on the European Union Agency for Law Enforcement Training (CEPOL) and the European Judicial Training Network to extend their offer of training courses dedicated to cybercrime-related topics to competent law enforcement bodies and judicial authorities across the Union;**

*deleted*

Or. en

**Amendment 388**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 35**

*Motion for a resolution*

*Amendment*

**35. Calls on the European Union Agency for Law Enforcement Training (CEPOL) and the European Judicial Training Network to extend their offer of training courses dedicated to cybercrime-related topics to competent law enforcement bodies and *judicial authorities across the Union;***

**35. Calls on the European Union Agency for Law Enforcement Training (CEPOL) and the European Judicial Training Network to extend their offer of training courses dedicated to cybercrime-related topics to competent law enforcement bodies and *the judges and prosecutors of the Member States dealing with cases of this kind;***

Or. el

**Amendment 389**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 35 a (new)**

*Motion for a resolution*

*Amendment*

**5a.** *Calls on the competent bodies of the Member States and the Union, under the guidance of staff of the European Cybercrime Centre (EC3) of Europol and Eurojust, and of the European Union Agency for Network and Information Security (ENISA), as information and expertise centres, to make costed proposals to be carried out under their own executive supervision and within the limits of the mandate given to them which, at European level, will have as their object the practical training of appropriately specialised staff of police prosecution services in key principles of identifying and handling digital evidence, in tried-and-tested and legitimate ways of harnessing the social media, in the best ways and procedures for reporting cyberattacks and in understanding practical aspects of protecting the privacy of communications and personal data on the Internet;*

Or. el

**Amendment 390**  
**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**  
**Paragraph 36**

*Motion for a resolution*

*Amendment*

**36.** *Calls for sufficient funding and posts to be made available to the European Union's Judicial Cooperation Unit (Eurojust) to allow the agency to cope with its increasing workload, as well as to develop and strengthen further its support to national cybercrime*

*deleted*

*prosecutors in cross-border cases,  
including via the recently established  
European Judicial Cybercrime Network;*

Or. fr

**Amendment 391**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 36**

*Motion for a resolution*

*Amendment*

**36. *Calls for sufficient funding and posts to be made available to the European Union's Judicial Cooperation Unit (Eurojust) to allow the agency to cope with its increasing workload, as well as to develop and strengthen further its support to national cybercrime prosecutors in cross-border cases, including via the recently established European Judicial Cybercrime Network;*** ***deleted***

Or. en

**Amendment 392**  
**Elissavet Vozemberg-Vrionidi, Michał Boni, Axel Voss, Carlos Coelho, Barbara Matera, Anna Maria Corazza Bildt**

**Motion for a resolution**  
**Paragraph 36**

*Motion for a resolution*

*Amendment*

**36. *Calls for sufficient funding and posts to be made available to the European Union's Judicial Cooperation Unit (Eurojust) to allow the agency to cope with its increasing workload, as well as to develop and strengthen further its support to national cybercrime prosecutors in cross-border cases, including via the***

**36. *Underlines that the number of cybercrime offences referred to Eurojust has increased by 30 %;*** ***Calls for sufficient funding and posts to be made available to the European Union's Judicial Cooperation Unit (Eurojust) to allow the agency to cope with its increasing workload, as well as to develop and strengthen further its support***

recently established European Judicial Cybercrime Network;

to national cybercrime prosecutors in cross-border cases, including via the recently established European Judicial Cybercrime Network;

Or. en

**Amendment 393**  
**John Procter**

**Motion for a resolution**  
**Paragraph 36**

*Motion for a resolution*

36. Calls for *sufficient funding and posts* to be made available *to* the European Union's Judicial Cooperation Unit (Eurojust) to allow the agency to cope with its increasing workload, as well as to develop and strengthen further its support to national cybercrime prosecutors in cross-border cases, including via the recently established European Judicial Cybercrime Network;

*Amendment*

36. Calls for funding to be *reallocated with more posts* made available *if necessary for* the European Union's Judicial Cooperation Unit (Eurojust) to allow the agency to cope with its increasing *cybercrime related* workload, as well as to develop and strengthen further its support to national cybercrime prosecutors in cross-border cases, including via the recently established European Judicial Cybercrime Network;

Or. en

**Amendment 394**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 36**

*Motion for a resolution*

36. Calls for *sufficient funding and posts to be made* available to the European Union's Judicial Cooperation Unit (Eurojust) to allow the agency to cope with *its increasing workload, as well as to develop and strengthen further its support to national cybercrime prosecutors in*

*Amendment*

36. Calls for *consideration of whether it would be necessary, appropriate and efficient to make* available *further funding and posts* to the European Union's Judicial Cooperation Unit (Eurojust) to allow the agency to cope with *the potential increase in its workload related to* the recently

*cross-border cases, including via* the recently established European Judicial Cybercrime Network;

established European Judicial Cybercrime Network;

Or. el

**Amendment 395**

**Elissavet Vozemberg-Vrionidi, Michał Boni, Axel Voss, Barbara Matera**

**Motion for a resolution**

**Paragraph 36 a (new)**

*Motion for a resolution*

*Amendment*

**36a.** *Underlines the necessity to renew the mandate and provide sufficient funding to ENISA to allow it to enhance its capabilities to prevent and fight cybercrime;*

Or. en

**Amendment 396**

**Elissavet Vozemberg-Vrionidi, Carlos Coelho, Barbara Matera**

**Motion for a resolution**

**Paragraph 36 b (new)**

*Motion for a resolution*

*Amendment*

**36b.** *Asks the Fundamental Rights Agency (FRA) to draw up a practical and detailed handbook providing guidelines regarding supervisory and scrutiny controls for Member States;*

Or. en

**Amendment 397**

**Eleftherios Synadinos**

**Motion for a resolution**



## Paragraph 37

### *Motion for a resolution*

37. Highlights the importance of *close* cooperation with third countries in the global fight against cybercrime, including through the exchange of best practices, joint investigations, capacity-building, *and mutual legal assistance*;

### *Amendment*

37. Highlights the importance of cooperation with third countries in the global fight against cybercrime, including through the exchange of best practices, *the adoption of common definitions, the convergence of efforts to tackle common cross-border threats and crimes relating to the cyberspace and the digital sphere, possibly through* joint investigations, capacity-building *and the development of skills and mutual assistance in providing adequate and secure data to facilitate the task of, and be used by, law enforcement and judicial authorities*;

Or. el

## Amendment 398

Cornelia Ernst

### Motion for a resolution

#### Paragraph 37

### *Motion for a resolution*

37. Highlights the importance of close cooperation with third countries in the global fight against cybercrime, including through the exchange of best practices, joint investigations, capacity-building, and mutual legal assistance;

### *Amendment*

37. Highlights the importance of close cooperation with third countries in the global fight against cybercrime, including through the exchange of best practices, joint investigations, capacity-building, and mutual legal assistance; *underlines that such cooperation is detrimental in cases of countries or organisations that sponsor criminal activity on the internet*;

Or. en

## Amendment 399

Maria Grapini

**Motion for a resolution**  
**Paragraph 37**

*Motion for a resolution*

37. Highlights the importance of close cooperation **with** third countries in the global fight against cybercrime, including through the exchange of best practices, joint investigations, capacity-building, and mutual legal assistance;

*Amendment*

37. Highlights the importance of close cooperation **between the EU and its Member States and** third countries in the global fight against cybercrime, including through the exchange of best practices, joint investigations, capacity-building, and mutual legal assistance;

Or. ro

**Amendment 400**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 37**

*Motion for a resolution*

37. Highlights the importance of close cooperation with third countries in the global fight against cybercrime, including through the exchange of best practices, joint investigations, capacity-building, and mutual legal assistance;

*Amendment*

37. Highlights the importance of close cooperation **by the Member States** with third countries in the global fight against cybercrime, including through the exchange of best practices, joint investigations, capacity-building, and mutual legal assistance;

Or. en

**Amendment 401**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 37 a (new)**

*Motion for a resolution*

*Amendment*

**37a. Stresses its serious concerns in relation to the work within the Council of Europe's Cybercrime Convention Committee on the interpretation of Article**

*32 of the Convention on Cybercrime of 23 November 2001 (Budapest Convention) on transborder access to stored computer data ("cloud evidence") and opposes any conclusion of an additional protocol or guidance intended to broaden the scope of this provision beyond the current regime established by this Convention, which is already a major exception to the principle of territoriality because it could result in unfettered remote access by law enforcement authorities to servers and computers located in other jurisdictions without recourse to mutual legal assistance (MLA) agreements and other instruments of judicial cooperation put in place to guarantee the fundamental rights of the individual, including data protection and due process, and in particular Council of Europe Convention 108;*

Or. en

**Amendment 402**

**Miriam Dalli, Tanja Fajon, Péter Niedermüller**

**Motion for a resolution**

**Paragraph 37 a (new)**

*Motion for a resolution*

*Amendment*

*37a. Highlights the importance of the conclusions of a future EU-US Umbrella agreement and stresses that the EU cannot accept sub-standard provisions when it comes to the Privacy Shield; Urges any EU decision on improved cooperation with third countries to take into account ECJ Judgement Case C-362/14<sup>1a</sup>*

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*<sup>1a</sup> Reference: Maximillian Schrems v Data Protection Commissioner (Case C-362/14)"*

**Amendment 403**  
**Carlos Coelho, Elissavet Vozemberg-Vrionidi**

**Motion for a resolution**  
**Paragraph 37 a (new)**

*Motion for a resolution*

*Amendment*

**37a. Call on the Member States to ratify and fully implement the Convention of the Council of Europe on CyberCrime ("Budapest Convention") and, in cooperation with the European Commission, to promote it in the appropriate international fora;**

Or. en

**Amendment 404**  
**Elissavet Vozemberg-Vrionidi, Michal Boni, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**  
**Paragraph 37 a (new)**

*Motion for a resolution*

*Amendment*

**37a. Calls on the Member States to ensure sufficient capacity for handling MLA requests related to investigations in cyberspace and to develop relevant training programmes for the staff responsible for handling such requests;**

Or. en

**Amendment 405**  
**Monika Hohlmeier, Rachida Dati**

**Motion for a resolution**  
**Paragraph 37 a (new)**

*Motion for a resolution*

*Amendment*

**37a.** *Regrets the fact that there is no binding international law on cybercrime and urges the Member States and the European Institutions to work towards the agreement of such a convention;*

Or. en

**Amendment 406**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 37 b (new)**

*Motion for a resolution*

*Amendment*

**37b.** *Urges Member States, in the context of the negotiations of the Council of Europe's Convention on Cybercrime, to favour the use of mutual legal assistance instruments for the exchange of information with third countries, with due regard to the principle of territoriality and Union legislation on data protection, notably Article 48 of Regulation (EU) 679/2016 (General Data Protection Regulation);*

Or. en

**Amendment 407**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 38**

*Motion for a resolution*

*Amendment*

**38.** *Underlines that strategic and operational cooperation agreements between Europol and third countries facilitate both the exchange of*

*deleted*

*information and practical cooperation; invites Europol to conclude agreements with all countries listed in the annex to the Europol regulation in due course;*

Or. en

**Amendment 408**  
**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**  
**Paragraph 38**

*Motion for a resolution*

*Amendment*

**38.** *Underlines that strategic and operational cooperation agreements between Europol and third countries facilitate both the exchange of information and practical cooperation; invites Europol to conclude agreements with all countries listed in the annex to the Europol regulation in due course;*

*deleted*

Or. fr

**Amendment 409**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 38**

*Motion for a resolution*

*Amendment*

**38.** Underlines that strategic and operational cooperation agreements between Europol and third countries ***facilitate both*** the exchange of information and practical cooperation; invites Europol to conclude agreements with all countries listed in the annex to the Europol regulation in due course;

**38.** Underlines that strategic and operational cooperation agreements between Europol and third countries ***allow*** the exchange of information and practical cooperation, ***but there are still administrative and institutional barriers to the rapid response of all parties despite the facilitation provided by the Agency as an interface***; invites Europol to conclude ***realistic*** agreements ***of practical value***

with all countries listed in the annex to the Europol regulation in due course **and subject them to approval, consideration and ratification by the European Parliament in consultation with the national parliaments of Member States before they are put into effect;**

Or. el

#### **Amendment 410**

**Elissavet Vozemberg-Vrionidi, Axel Voss, Barbara Matera**

#### **Motion for a resolution**

##### **Paragraph 38**

###### *Motion for a resolution*

38. Underlines that strategic and operational cooperation agreements between Europol and third countries facilitate both the exchange of information and practical cooperation; invites Europol to ***conclude agreements with all countries listed in the annex to the Europol regulation in due course;***

###### *Amendment*

38. Underlines that strategic and operational cooperation agreements between Europol and third countries ***as well as international organizations concluded before the entry into force of the Europol regulation*** facilitate both the exchange of information and practical cooperation; invites ***the Commission and the Council to take the necessary measures to allow*** Europol to ***transfer personal data to an authority of a third country or to an international organization, insofar as such transfer is necessary for the performance of Europol's tasks;***

Or. en

#### **Amendment 411**

**Cornelia Ernst**

#### **Motion for a resolution**

##### **Paragraph 38**

###### *Motion for a resolution*

###### *Amendment*

38. Underlines that strategic and operational cooperation agreements between Europol and third countries facilitate both the exchange of information and practical cooperation; ***invites Europol to conclude agreements with all countries listed in the annex to the Europol regulation in due course;***

38. Underlines that strategic and operational cooperation agreements between Europol and third countries facilitate both the exchange of information and practical cooperation;

Or. en

**Amendment 412**  
**Maria Grapini**

**Motion for a resolution**  
**Paragraph 38**

*Motion for a resolution*

38. Underlines that strategic and operational cooperation agreements between Europol and third countries facilitate both the exchange of information and practical cooperation; invites Europol to conclude agreements with all countries listed in the annex to the Europol regulation in due course;

*Amendment*

38. Underlines that strategic and operational cooperation agreements between Europol and third countries facilitate both the exchange of information and practical cooperation; invites Europol to conclude agreements with all countries listed in the annex to the Europol regulation in due course ***and notify the Member States thereof;***

Or. ro

**Amendment 413**  
**Axel Voss, Elissavet Vozemberg-Vrionidi**

**Motion for a resolution**  
**Paragraph 39**

*Motion for a resolution*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; is concerned that the voluntary disclosure rate of big US service providers

*Amendment*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; is concerned that the voluntary disclosure rate of big US service providers



in response to requests from European criminal justice authorities falls short of 60 %;

in response to requests from European criminal justice authorities falls short of 60 %; ***and recognizes that Chapter V of the GDPR, mutual legal assistance treaties and other international agreements are the preferred mechanism to enable access to personal data;***

Or. en

**Amendment 414**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 39**

*Motion for a resolution*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; ***is concerned that the voluntary disclosure rate of big US service providers in response to requests from European criminal justice authorities falls short of 60 %;***

*Amendment*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada;

Or. en

**Amendment 415**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 39**

*Motion for a resolution*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; ***is concerned that the voluntary disclosure rate of big US service providers in response to requests from European criminal justice authorities falls short of***

*Amendment*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; ***recognises that, as for instance enshrined in Article 48 of Regulation (EU) 679/2016 (the General Data Protection Regulation), mutual legal***

60 %;

*assistance and other international agreements are the preferred mechanism to enable access to personal data overseas;*

Or. en

**Amendment 416**  
**Maria Grapini**

**Motion for a resolution**  
**Paragraph 39**

*Motion for a resolution*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; is concerned that the voluntary disclosure rate of big US service providers in response to requests from European criminal justice authorities falls short of 60 %;

*Amendment*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; is concerned that the voluntary disclosure rate of big US service providers in response to requests from European criminal justice authorities falls short of 60 % *and will address means of improving the situation;*

Or. ro

**Amendment 417**  
**John Procter**

**Motion for a resolution**  
**Paragraph 39**

*Motion for a resolution*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; *is concerned that* the voluntary disclosure rate of big US service providers in response to requests from European criminal justice authorities *falls short of 60 %;*

*Amendment*

39. Takes note of the fact that the highest number of law enforcement requests is sent to the United States and Canada; *expresses support for further efforts to increase* the voluntary disclosure rate of big US service providers in response to requests from European criminal justice authorities *from 60%;*

**Amendment 418**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 39**

*Motion for a resolution*

39. ***Takes note of the fact that the highest*** number of law enforcement requests ***is sent to*** the United States ***and Canada; is concerned that the voluntary disclosure rate of big US service providers in response to requests from European criminal justice authorities falls short of 60 %;***

*Amendment*

39. ***Is concerned with the exceedingly high*** number of law enforcement requests ***by*** the United States ***for access to data held by European companies; Notes that this data often includes personally identifiable information;***

**Amendment 419**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 39**

*Motion for a resolution*

39. ***Takes note of the fact*** that the ***highest number*** of law enforcement requests is sent to the United States and Canada; ***is concerned*** that the voluntary disclosure rate of big US service providers in response to requests from European criminal justice authorities falls short of 60 %;

*Amendment*

39. ***Stresses*** that the ***overwhelming majority*** of law enforcement requests is sent to the United States and Canada; ***notes*** that the voluntary disclosure rate of big US ***digital*** service providers in response to requests from European criminal justice authorities falls short of 60 %;

**Amendment 420**  
**Carlos Coelho, Elissavet Vozemberg-Vrionidi**

**Motion for a resolution**  
**Paragraph 39 a (new)**

*Motion for a resolution*

*Amendment*

**39a. Highlights the importance of the  
NATO Cyber Incidents Response Centre;**

Or. en

**Amendment 421**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 40**

*Motion for a resolution*

*Amendment*

**40. Calls on the Commission to put forward concrete measures to address impediments to the exchange of information between European law enforcement authorities and third countries, notably the quick obtaining, upon a court decision, of relevant evidence, subscriber-related information as well as detailed meta- and content data (if not encrypted) from law-enforcement authorities and/or service providers with a view to improving mutual legal assistance;**

*deleted*

Or. en

**Amendment 422**  
**Cornelia Ernst**

**Motion for a resolution**  
**Paragraph 40**

*Motion for a resolution*

*Amendment*

**40. Calls on the Commission to put forward concrete measures to address impediments to the exchange of**

**40. Calls on the Commission to put forward concrete measures to address impediments to the exchange of**

information between European law enforcement authorities and third countries, *notably the quick obtaining, upon a court decision, of relevant evidence, subscriber-related information as well as detailed meta- and content data (if not encrypted) from law-enforcement authorities and/or service providers* with a view to improving mutual legal assistance;

information between European law enforcement authorities, and third countries, with a view to improving mutual legal assistance *based on relevant international agreements*;

Or. en

**Amendment 423**  
**Jan Philipp Albrecht**

**Motion for a resolution**  
**Paragraph 40**

*Motion for a resolution*

40. Calls on the Commission to put forward concrete measures to *address impediments to the* exchange of information between European law enforcement authorities and third countries, notably the quick obtaining, upon a court decision, of relevant evidence, subscriber-related information as well as detailed meta- and content data (if not encrypted) from law-enforcement authorities and/or service providers with a view to improving mutual legal assistance;

*Amendment*

40. Calls on the Commission to put forward concrete measures to *protect the fundamental rights of the suspected or accused person when* exchange of information between European law enforcement authorities and third countries *takes place*, notably *safeguards as regards the non-execution of a request by an EU Member State in* the quick obtaining, upon a court decision, of relevant evidence, subscriber-related information as well as detailed meta- and content data (if not encrypted) from law-enforcement authorities and/or service providers with a view to improving mutual legal assistance;

Or. en

**Amendment 424**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 40**

*Motion for a resolution*

40. Calls on the Commission to put forward concrete measures to address impediments to the exchange of information between European law enforcement authorities and third countries, notably the quick obtaining, upon a court decision, of relevant evidence, subscriber-related information as well as detailed meta- and content data (*if not encrypted*) from law-enforcement authorities and/or service providers with a view to improving *mutual* legal assistance;

*Amendment*

40. Calls on the Commission to put forward concrete measures to address impediments to the exchange of information between European law enforcement authorities and third countries, *in particular Canada and the USA* notably the quick obtaining, upon a court decision, of relevant evidence, subscriber-related information as well as detailed meta- and content data *which have been recorded or are otherwise available* from law-enforcement authorities and/or service providers with a view to improving legal assistance, *with due respect for the principle of subsidiarity*;

Or. el

**Amendment 425**

**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**

**Paragraph 40**

*Motion for a resolution*

40. Calls on the *Commission* to put forward concrete measures to address impediments to the exchange of information between European law enforcement authorities and third countries, notably the quick obtaining, upon a court decision, of relevant evidence, *subscriber-related* information as well as detailed meta- and content data (if not encrypted) from law-enforcement authorities and/or service providers with a view to improving mutual legal assistance;

*Amendment*

40. Calls on the *Member States* to put forward concrete measures to address impediments to the exchange of information between European law enforcement authorities and third countries, notably the quick obtaining, upon a court decision, of relevant evidence, *subscriber-related* information as well as detailed meta- and content data (if not encrypted) from law-enforcement authorities and/or service providers with a view to improving mutual legal assistance;

Or. fr

**Amendment 426**

**Elissavet Vozemberg-Vrionidi, Michał Boni, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**

**Paragraph 40 a (new)**

*Motion for a resolution*

*Amendment*

**40a. Calls on the Commission in cooperation with Member States, the associated European bodies and where necessary third countries to consider new ways to efficiently secure and obtain e-evidence hosted in third countries, in full compliance with fundamental rights and EU data protection law, by accelerating and streamlining the use of mutual legal assistance proceedings and where applicable mutual recognition;**

Or. en

**Amendment 427**

**Elissavet Vozemberg-Vrionidi, Michał Boni, Axel Voss, Carlos Coelho, Barbara Matera**

**Motion for a resolution**

**Paragraph 40 b (new)**

*Motion for a resolution*

*Amendment*

**40b. Calls on all Member States to participate in the Global Forum on Cyber Expertise (GFCE) in order to facilitate the establishment of partnerships to build capacity;**

Or. en

**Amendment 428**

**Marine Le Pen, Gilles Lebreton**

**Motion for a resolution**

**Paragraph 41**

*Motion for a resolution*

*Amendment*

**41.** *Supports the capacity-building assistance provided by the EU to Eastern Neighbourhood countries, given that many cyber-attacks originate in them;*

*deleted*

Or. fr

**Amendment 429**  
**Beatrix von Storch**

**Motion for a resolution**  
**Paragraph 41**

*Motion for a resolution*

*Amendment*

**41.** *Supports the capacity-building assistance provided by the EU to Eastern Neighbourhood countries, given that many cyber-attacks originate in them;*

*deleted*

Or. en

**Amendment 430**  
**Eleftherios Synadinos**

**Motion for a resolution**  
**Paragraph 41**

*Motion for a resolution*

*Amendment*

**41.** *Supports the capacity-building assistance provided by the EU to Eastern Neighbourhood countries, given that many cyber-attacks originate in them;*

**41.** *Supports whatever assistance is needed to develop the cyber resilience of the Member States and the Union as a whole and the Union's ability to respond to cyberattacks or attacks against information or digital systems of whatever origin;*

Or. el

**Amendment 431**  
**Elissavet Vozemberg-Vrionidi, Michal Boni, Axel Voss, Carlos Coelho, Barbara Matera**



**Motion for a resolution**  
**Paragraph 41 a (new)**

*Motion for a resolution*

*Amendment*

***41a. Calls on the Member States that have not yet done so to ratify and implement fully the Convention on Cybercrime of 23 November 2001;***

Or. en