

EN
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Answer given by Ms Johansson
on behalf of the European Commission
(5.7.2024)

Regulation 2021/784 requires that the Member States' competent authorities have the power to send removal orders requiring hosting service providers to remove terrorist content or to disable access thereto in all Member States.

Recital 40 of Regulation 2021/784 states that referrals by Member States and Europol have proven to be an effective and swift means of increasing hosting service providers' awareness of specific content available through their services, that such referrals should remain available in addition to removal orders and that nothing in the Regulation should be understood as precluding the use of referrals.

The adoption of the evaluation report is foreseen for the second quarter of 2025¹. The evaluation report will follow up to the adoption of the implementation and the monitoring programme, which was delayed due to the late transmission to the Commission of key information from Member States and hosting service providers. It was also considered important to reflect the application of the Regulation following the terrorist attack perpetrated by Hamas against Israel on 7 October 2023.

The monitoring programme aims at collecting information to support the evaluation of the Regulation pursuant to Article 23 including the impact on fundamental rights. The monitoring programme includes a wide set of indicators under which data will be collected from competent authorities and hosting service providers. Result indicators will seek to measure the functioning and effectiveness of the safeguard mechanisms once they have been implemented and impacts indicators will help measure the long-term impact of the Regulation on specific areas like fundamental rights.

¹ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13964-Terrorist-Content-Online-Regulation-evaluation_en