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Committee on Culture and Education

2008/0047(COD)

10.9.2008

OPINION

of the Committee on Culture and Education

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a decision of the European Parliament and of the Council establishing a multiannual Community programme on protecting children using the Internet and other communication technologies
(COM(2008)0106 – C6-0092/2008 – 2008/0047(COD))

Rapporteur: Christopher Heaton-Harris

SHORT JUSTIFICATION

The aim of the Commission proposal a multiannual Community programme on protecting children using the Internet and other communication technologies is to build on the successes of the Safer Internet Action Plan.

The European Union has been a forerunner in the protection of children online since 1996, and the successive Safer Internet programmes have been a major feature of the Commission's activity in this field. They constitute the only pan-European initiative addressing issues relating to child protection in the online environment and comprise several actions that have proved their effectiveness.

They have achieved the following:

- A European network of hotlines - reporting points where members of the public can report illegal content

- A European awareness-raising network and "Safer Internet Day" co-ordinated by the network. Each year, an increasing number of countries have taken part in this in Europe and around the world

- Information for parents through independent testing of the effectiveness of filtering software

- Support for industry self-regulatory initiatives in the area of content rating and mobile phones

According to the final evaluation of the Safer Internet Action Plan, the European Union is now seen as a "pioneer which identified at an early stage the issue of illegal and harmful content on the Internet as a serious and important political question of a global dimension".

The draftsman supports the Commission proposal in principle, and supports the successful actions that have resulted so far, in particular in the field of ensuring public awareness. However, he is concerned about the differences of resources and organisational capability between different Member States in the field of reducing illegal content and tackling harmful content online. There are some relatively simple actions that could be taken - many of which are already succeeding in some Member States - which would improve the ability of relevant bodies in Member States to identify and remove child sexual abuse content faster and more effectively.

The draftsman is supportive of the proposal for a Europe-wide database to improve the knowledge base in this area, and urges the Commission to take every available step to ensure the implementation of this as soon as possible. In conclusion, the programme has been a success for the European Union, this proposal should ensure it continues that success, and your draftsman hopes that with further international co-operation, this good practise can be communicated to other parts of the world.

AMENDMENTS

The Committee on Culture and Education calls on the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible, to incorporate the following amendments in its report:

Amendment 1

Proposal for a decision
Recital 5

Text proposed by the Commission	*Amendment*
(5) Reaching international agreement on legally binding rules is desirable, ***but will not be achieved*** rapidly. ***Even*** if such agreement is reached, it will not be enough in itself to ensure implementation of the rules or to ensure protection of those at risk.	(5) Reaching international agreement on legally binding rules is desirable, ***as*** rapidly ***as possible***. If such agreement is reached, it will not be enough in itself ***therefore a range of measures should be taken*** to ensure implementation of the rules or to ensure protection of those at risk.

Amendment 2

Proposal for a decision
Recital 9

Text proposed by the Commission	*Amendment*
(9) International cooperation is essential given the global nature of the problem. Illegal content may be produced in one country, hosted in a second, but accessed and downloaded all over the world. International cooperation, which has been stimulated through the Community networking structures, will need to be reinforced in order to protect children better against cross-border risks involving third countries. An exchange of best practice between European organisations and organisations in other parts of the world can be mutually advantageous.	(9) International cooperation is essential given the global nature of the problem - ***in 2007 the EU hosted only around 3% of commercial child sexual abuse websites***. Illegal content may be produced in one country, hosted in a second, but accessed and downloaded all over the world. International cooperation, which has been stimulated through the Community networking structures, will need to be reinforced in order to protect children better against cross-border risks involving third countries. An exchange of best practice between European organisations and organisations in other parts of the world***, in particular the United States of America,*** can be mutually advantageous.

Justification

Due in very large part to the success of the Safer Internet Programme, the EU is having ongoing success at removing websites hosting illegal content. Statistics compiled by the Internet Watch Foundation show in 2007 websites in the USA hosted around 48% of commercial, publically available, child sexual abuse websites; this rose in the first quarter of 2008 to around 78%. A significant percentage of non-commercial content is also hosted on websites in the USA. It is true that internet usage in these countries is among the highest in the world, but it is clear more can be achieved to reduce these numbers.

Amendment 3

Proposal for a decision
Annex I - section 1 - point 1

Text proposed by the Commission	*Amendment*
1. Providing the public with contact points for reporting online illegal content and harmful conduct. Activities should ensure that these contact points are effective and visible for the public, liaise closely with other actions at national level, and cooperate at European level to deal with cross-border issues and to exchange best practice.	1. Providing the public with, ***and promoting the existence of,*** contact points ***and hotlines*** for reporting online illegal content and harmful conduct. Activities should ensure that these contact points are effective and visible for the public, ***are systematically promoted, in particular on all search engines and via a European freephone number,*** liaise closely with other actions at national level, and cooperate at European level to deal with cross-border issues and to exchange best practice.

Justification

As we have learned from the 112 emergency number, there is no point simply creating a pan-European numbers or hotlines unless the public know about them. They should be promoted to raise public awareness of them.

Amendment 4

Proposal for a decision
Annex I - section 1 - point 3

Text proposed by the Commission	*Amendment*
3. Stimulating application of technical solutions for dealing adequately with illegal content and harmful conduct online. Activities should encourage the	3. Stimulating application of technical solutions for dealing adequately with illegal content and harmful conduct online ***and informing end users as to how this***

development or adaptation of effective technological tools to deal adequately with illegal content and tackle harmful conduct online, for general use by stakeholders.	***technology might be applied.*** Activities should encourage the development or adaptation ***and/or promotion*** of effective technological tools to deal adequately with illegal content and tackle harmful conduct online, ***made available free of charge*** for ***easy*** general use by stakeholders. ***Stakeholders should be informed of the availability of this technology and its proper use.***

Justification

New technology or technical solutions are useless unless the public are informed as to their availability and the most effective way of using them.

Amendment 5

Proposal for a decision
Annex I – section 1 – point 5 a (new)

Text proposed by the Commission	*Amendment*
	5a. Engaging domain name registries where this is not the case and strengthening co-operation where it does exist. Activities will aim to complement the existing actions by improving co-operation with domain name registries in Member States, and encouraging positive relationships with registries outside the EU to enable earlier detection of potentially illegal content and minimise the longevity of known websites offering child sexual abuse content.

Justification

Co-operation with the internet and communication industries is essential in such a fast-moving area, but domain registries are particularly important, as they are the base on which websites are founded. Improved co-operation with these bodies at a Member State level would lead to a more effective "early-warning" system for illegal content and would make operations more costly, transient and difficult for those running child sexual abuse websites, some of which have been 'live' for many years, using the same domain name.

Amendment 6

Proposal for a decision
Annexe I - section 2 - point 3

Text proposed by the Commission	*Amendment*
3. Stimulating the involvement of children and young people in creating a safer online environment. Actions will aim to involve children and young people with the aim of better understanding their views and experiences concerning the use of online technologies and on how to promote a safer online environment for children.	3. Stimulating the involvement of children and young people in creating a safer online environment. Actions will aim to involve children and young people with the aim of better understanding their views and experiences concerning the use of online technologies and on how to promote a safer online environment for children***, with the support of specialists***.

Amendment 7

Proposal for a decision
Annex I - section 2 - point 4

Text proposed by the Commission	*Amendment*
4. Increasing information about adequate tools for dealing with harmful content online. Activities will aim to increase information about the performance and effectiveness of tools for dealing with potentially harmful content online and to equip users with information, instruments and applications adequately supporting them in dealing with harmful content across different platforms.	4. Increasing information about adequate tools for dealing with harmful content online. Activities will aim to increase information***, particularly to parents, carers and educators***, about the performance and effectiveness of tools for dealing with potentially harmful content online and to equip ***all*** users ***regularly*** with ***simple educational*** information, instruments and applications adequately supporting them in dealing with harmful content across different platforms.

Justification

It's important to reduce the knowledge gap generally between adults and children since adults control children's access to content. It's important however to focus specifically on those adults who directly control children's access to content such as parents, carers or educators.

Amendment 8

Proposal for a decision
Annexe I - section 3 - point 1

Text proposed by the Commission	*Amendment*
1. Raising public awareness and disseminating information on safer use of online technologies. The activities will promote public awareness by providing adequate information about possibilities, risks and ways to deal with them in a coordinated way across Europe. Activities will encourage cost-effective means of distributing awareness information to a large number of users.	1. Raising public awareness and disseminating information on safer use of online technologies. The activities will promote public awareness by providing***, regularly and systematically,*** adequate information about possibilities, risks and ways to deal with them in a coordinated way across Europe. Activities will encourage cost-effective means of distributing awareness information to a large number of users***, in particular young people, both through schools and associations***.

Amendment 9

Proposal for a decision
Annex I - section 4 - introductory wording

Text proposed by the Commission	*Amendment*
The activities will aim to establish a knowledge base for dealing adequately with existing and emerging uses of the online environment and relevant risks and consequences, with a view to designing adequate actions aimed at ensuring online safety for all users. The main overall actions planned to be taken are:	The activities will aim to establish a knowledge base for dealing adequately with existing and emerging uses of the online environment and relevant risks and consequences, with a view to designing adequate actions aimed at ensuring online safety for all users. ***The contents of this knowledge base should be shared with stakeholders and disseminated across Member States.*** The main overall actions planned to be taken are:

Justification

Knowledge bases are not useful unless the information is shared.

Amendment 10

Proposal for a decision
Annex I - section 4 - point 2

Text proposed by the Commission	*Amendment*
2. Providing updated information concerning children's use of online technologies. Actions will be taken to generate updated information concerning children's use of online technologies and the way they and their parents ***and*** carers deal with both opportunities and risks. The actions will comprise quantitative and qualitative aspects. Actions will also aim to increase the knowledge of children and young people's own strategies for dealing with risks in the online environment, and assess the effectiveness of these strategies.	2. Providing updated information concerning children's use of online technologies. Actions will be taken to generate updated information concerning children's use of online technologies and the way they and their parents, carers, ***teachers and educators*** deal with both opportunities and risks. The actions will comprise quantitative and qualitative aspects. Actions will also aim to increase the knowledge of children and young people's own strategies for dealing with risks in the online environment, and assess the effectiveness of these strategies.

Justification

With increasing use of the internet by young people, it's important that teachers and educators are aware of all the issues. This is this particularly important because of cyber-bullying which often emanates from the school environment.

Amendment 11

Proposal for a decision
Annex I - section 4 - point 2a (new)

Text proposed by the Commission	*Amendment*
	2a. Promoting the use of existing international image databases - such as those run by Interpol - to combat child abuse. Closer cooperation by the Member States and the European Union with Interpol and its databases could make cooperation at national, European and international levels more effective.

Justification

With a view to improving cooperation in the fight against child abuse, it makes sense to use and develop existing instruments. For example, a special European database would double the amount of work involved and thus hamper efforts to combat child abuse. In addition, the data involved is highly sensitive, so that stringent data protection with a proper legal basis is essential.

Amendment 12

Proposal for a decision
Annex I – section 4 – point 2 b (new)

Text proposed by the Commission	*Amendment*
	2b. Creation of a Europe-wide database of technical data such as reported child sexual abuse URLs and domains, statistics and trends from different Member States. Activities will concentrate on overseeing the creation of a Europe-wide database, to allow law enforcement agencies and relevant authorities from Member States to share information and thereby reduce duplication of existing efforts and maximise the use of current and future resources.

PROCEDURE

Title	Protecting children using the Internet and other communication technologies
References	COM(2008)0106 – C6-0092/2008 – 2008/0047(COD)
Committee responsible	LIBE
Opinion by Date announced in plenary	CULT 10.4.2008
Drafts(wo)man Date appointed	Christopher Heaton-Harris 1.4.2008
Discussed in committee	14.7.2008
Date adopted	10.9.2008
Result of final vote	+: 20 –: 1 0: 0
Members present for the final vote	Maria Badia i Cutchet, Ivo Belet, Marie-Hélène Descamps, Věra Flasarová, Milan Gaľa, Vasco Graça Moura, Luis Herrero-Tejedor, Ruth Hieronymi, Ramona Nicole Mănescu, Manolis Mavrommatis, Ljudmila Novak, Dumitru Oprea, Pál Schmitt, Helga Trüpel, Thomas Wise, Tomáš Zatloukal
Substitute(s) present for the final vote	Slavi Binev, Ignasi Guardans Cambó, Mary Honeyball, Cornelis Visser, Tadeusz Zwiefka