

EDUC 009

Brussels, 16 December 2002

OPINION

of the

Committee of the Regions

of 20 November 2002

on the

Communication from the European Commission on the

Follow-up to the multiannual Community action plan on promoting safer use of the Internet

by combating illegal and harmful content on global networks

and the

Proposal for a Decision of the European Parliament and of the Council

amending Decision No. 276/1999/EC adopting a multiannual Community action plan

on promoting safer use of the Internet by combating illegal

and harmful content on global networks

(COM(2002) 152 final – 2002/0071 (COD))

THE COMMITTEE OF THE REGIONS,

Having regard to the Communication from the European Commission on the *Follow-up to the multiannual Community action plan on promoting safer use of the Internet by combating illegal and harmful content on global networks* and the *Proposal for a Decision of the European Parliament and of the Council amending Decision No. 276/1999/EC adopting a Multiannual Community action plan on promoting safer use of the internet by combating illegal and harmful content on global networks* (COM(2002) 152 final-2002/0071 (COD));

Having regard to the decision of the Council of the European Union of 12 April 2002 to consult it under the first paragraph of Article 265 of the Treaty establishing the European Community;

Having regard to the decision of its Bureau of 6 February 2002 to instruct the Commission for

Culture and Education to draw up an Opinion on this subject;

Having regard to its Opinion on *the Communication from the Commission on the follow-up to the Green Paper on the protection of minors and human dignity in audiovisual and information services including a Proposal for a Council Recommendation and the Communication from the Commission and Proposal for a Council Decision adopting an action plan on promoting safe use of the Internet* (CdR 54/1998 fin)¹;

Having regard to its Opinion on *the Communication from the Commission on Network and Information Safety: Proposal for a European Policy Approach* (CdR 257/2001 fin)²;

Having regard to its Opinion on *the Communication from the Commission on Creating a Safer Information Society by Improving the Security of Information Infrastructures and Combating Computer-related Crime: eEurope 2002* (CdR 88/2001 fin)³;

Having regard to its Opinion on *Local and regional cooperation to protect children and young people from abuse and neglect in the European Union* (CdR 225/1999 fin)⁴;

Having regard to its recommendations made during the seminar on Local and regional cooperation to protect children from abuse, held on 4 December 1998 (CdR 326/1998 fin);

Having regard to its draft Opinion (CdR 140/2002 rev. 2) adopted on 30 September 2002 by its Commission for Culture and Education (Rapporteur: **Mr Luigi Sergio Ricca**, Mayor of Bollengo (I/PES)).

adopted the following Opinion unanimously at its 47th plenary session of 20-21 November 2002 (meeting of 20 November).

1. **The Committee of the Regions' views**

The Committee of the Regions

1. **welcomes** the Commission's decision to extend the current action plan on promoting safer use of the Internet, due to end on 31 December 2002, for a second phase of two years, adapting the scope and implementation of the action plan in order to take into account the lessons learned and new technologies, and to ensure coordination with parallel work in the field of network and information security;
2. **notes** that the second phase of the Safer Internet Action Plan prepares for a possible subsequent wider initiative related to content in Internet and new online media. The coverage of safer use will be extended to new online technologies, including mobile and broadband content, online games, peer-to-peer file transfer, and real-time communication such as chat rooms and instant messaging. The initiative will cover a broader range of areas of illegal and harmful content and conduct of concern, such as racism and violence;
3. **shares** the concerns of lawmakers, parents and industry regarding illegal and harmful content available on the Internet and welcomes the fact that, with the action plan, the European Union took a groundbreaking stance against such content, based on a strategy agreed unanimously by the European Parliament and the Council. The action plan is supplemented by legal instruments and practical measures to combat computer crime

and child pornography and the Recommendation on Protection of Minors and Human Dignity. The Safer Internet Action Plan is a pillar of Community action in this field and is one of the issues connected with information and communication technologies (ICT). ICT have been a priority of the EU for some time now, especially since the Lisbon summit in 2000 and the eEurope action plan which followed;

4. **notes** the continuing and serious public concern about illegal and harmful content on the Internet, but points out that a number of issues remain unresolved, such as what can be classified as harmful content for children of a certain age, who should set the general rules to be applied to content providers and who should decide how these rules are to be applied;
5. **welcomes** the fact that the Commission has taken into account future needs, considering that the use of the Internet and new online technologies is set to increase and diversify. Although in general this marks a positive trend, at the same time the use of these technologies to spread illegal and harmful content will also increase and diversify;
6. **notes** that the Commission has accepted the suggestions set out in the intermediate evaluation of the action plan, which gave a positive assessment of the first two years of application but also made a number of criticisms in the form of fifteen recommendations, to which the Commission has responded with its proposal to amend Decision 276/1999/EC;
7. **endorses** the outline of the programme and the action lines proposed by the Commission for the second phase. Considers the general format of the programme to be well-structured and balanced and endorses the action lines designed to:
 - empower users to report findings of illegal content;
 - promote self-regulation;
 - enable users to avoid harmful content;
 - foster a user-friendly system of content rating;
 - promote safe use of the Internet.

However the CoR would make the following points and recommendations:

2. The Committee of the Regions' recommendations

The Committee of the Regions

1. **calls** for a move from a passive strategy of selecting filtering services, software and Parental Control Technology available on the market to an active approach of supporting and contributing to the development of software or software components designed to ensure a level of parental control in line with Commission guidelines. Research carried out by universities, the "Open Source" community and external manufacturers of such commercial products could be the best channels for exploring this technology;

2. **emphasises** that, considering the rising online trend of using *peer-to-peer* technology and the increasing advantages it presents, the programme of technology coverage should place greater emphasis on this method of exchanging content; also stresses that the promotion of an action plan on filtering technology should not focus solely on private users;
3. **considers** that priority support should be given to the creation and promotion of high-quality European content designed specifically for children or for those needing protection. This is a particularly important initiative since the rapid spread of broadband networks has led to a further expansion of navigable sites, and has created new opportunities to place harmful and illegal content;
4. **calls** for a move from a passive to an active approach in support of self-regulation, establishing a relationship with Internet Service Providers (ISP). This would involve cooperation as regards systems to catalogue and classify sites and related Internet content, and thereby extend the area of classification with the aim of overcoming resistance by economic interests and the slowness of procedures. Search engines should give priority listing to duly labelled sites. Hotlines and filtering systems are proving to be slow and difficult to develop. The most effective approach would be that of legislative self-regulation in the form of ISP codes of conduct.
5. **calls** for an assessment of the possibility of setting up a body to supervise and coordinate the entities and organisations involved in the self-regulation and classification process to maximise the potential both for control and for information;
6. **underscores** that the annual financial allocation is virtually the same as that already scheduled for the action plan and seems inadequate to cope with the extended programme proposed for the second phase. Furthermore the distribution of resources between the key fields of action and the others appears imbalanced. In order to have a discernible impact, resources should be concentrated on a more limited number of projects with defined measurable goals.

The CoR proposes:

- identifying schemes to run in given geographical areas as testing grounds for control practices to be "exported" to other areas;
 - identifying access schemes, for example points of access to public networks, such as schools, libraries, local authorities, chambers of commerce etc.;
 - protecting public points of access to the Internet by means of a "European product", developed by EU-funded research, which would work as a plug-in adjunct to the browser, to filter navigation. Clearly such a filter must not be incompatible with general use for other purposes.
7. **draws attention** to the need to reappraise the cost effectiveness of "awareness-exchange" initiatives, also regarding effective communication between projects and exchanging material that often cannot be reused by a wider public (due to age, social

- standing, technological ability, Internet experience);
8. **emphasises** that the fact that the Internet has no geographical borders and that users can unknowingly access content posted outside the EU demands close cooperation with all third countries, not only candidate countries. Therefore strategic initiatives are needed to strengthen EU cooperation with third countries and organisations, especially with those with fewer legislative restraints. This means exploring and ratifying international agreements on this delicate matter, to outlaw providers which publish illegal sites and therefore make them subject to legal proceedings. This issue particularly concerns Eastern European and South-East Asian countries which, despite being technologically advanced, lack appropriate legislation or in any case do not enforce legislation on ensuring the safe use of the Internet;
 9. **considers** that for maximum effectiveness, the goals of the EU's action plan should be supported by a legislative framework at national level. The CoR calls for a legislative framework to be drawn up in accordance with the action lines, together with some guidance on self-regulation. It could be useful to set up a European team of legal and IT experts to monitor and filter illegal information. The team would work in close cooperation with police forces and could help identify and close down illegal sites. The team should keep databases of filtering systems constantly up to date, both on URL (Universal Resource Location), and on illegal, harmful or inappropriate content;
 10. **considers** that some of the problems associated with a safe use of the Internet could be resolved by an intensive education drive designed to raise awareness on this matter. Regional and local authorities must have a key role in all awareness-raising campaigns in this sector.

The role of regional and local government in promoting safer use of the Internet

The Committee of the Regions

11. **underscores** the crucial need to involve local and regional authorities in all initiatives and programmes laid down in the Commission proposal, since it is at local level that harmful practice physically reaches the more vulnerable end-user. In addition, these authorities are responsible for education services and spend considerable sums on promoting computer training and use in schools. It is therefore necessary to adopt measures designed to inform young people of the security aspects of the information society and the consequences of computer-related crime;
12. **considers**, on the other hand, that the full and effective involvement of families could pose a problem. Often parents do not get involved and leave their children unsupervised, either through their own lack of technological knowledge or interest, or even because they too visit non-educational sites;
13. **calls** therefore for wider involvement of local and regional authorities in initiatives conducted under the plan, bearing in mind that the information society makes possible new forms of civil society and regional and local democracy; as these citizens' networks tend to have a high level of participation, they are particularly at risk of attack and external manipulation, in some cases of a racist or extremist kind. There is a danger that confidence in the services may be undermined;
14. **underscores** the important role of local authorities in ensuring a balanced

development of the knowledge and information society in the European Union that will enhance economic and social cohesion in regions, cities and districts throughout Europe. Consequently it is essential to guarantee the security of information systems and networks;

15. **notes** that the lack of confidence in information networks and systems is slowing down the widespread introduction of new services connected with the information and knowledge society;
16. **emphasises** that due to their proximity to the public, cooperatives and businesses, local and regional authorities have a crucial role in carrying out practical measures designed to ensure the efficacy of the action plan. In its current form, the programme does not sufficiently reflect the involvement and role of local and regional authorities alongside other major groups (for example, government agencies, university institutes and voluntary groups which play an important, often principal role in this field). For this reason, attention should also be focused on training initiatives to boost the qualifications of voluntary workers, with the involvement of local and regional authorities;
17. **recommends** moreover that the measures identified as necessary are not delayed for financial reasons.

Brussels, 20 November 2002.

The President

The Secretary-General

of the

of the

Committee of the Regions

Committee of the Regions

Albert Bore

Vincenzo Falcone

¹ OJ C 251, 10.8.1998, p.51

² OJ C 107, 3.5.2002, p.89

³ OJ C 107, 3.5.2002, p.29

⁴ OJ C 57, 29.2.2000, p.46

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CdR 140/2002 fin EN-IT/CAT/ms .../...

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