

Commission Recommendation on the Handling of illegal Internet Content

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In continuation of the [Communication on “Tackling Illegal Content Online - Towards an enhanced responsibility of online platforms”](#) (marked by the slogan: what is illegal offline is also illegal online), the Commission issued a [Recommendation on 1 March 2018](#). It includes operational measures and related safeguards. Its goal is to free the Internet from illegal content, and it is aimed at both Member States and companies.

Illegal content is any information that does not comply with EU law or the law of the Member States, in particular terrorist content, xenophobic or racist illegal hate speech, child sexual abuse, breaches of intellectual property rights, and unsafe products.

The Recommendation covers three areas:

- Handling of generally illegal online content;
- Special handling of terrorist content;
- Safeguards through the provision of information to the Commission.

According to the Commission, a particular social responsibility rests with online service providers. It calls on them, and also on the Member States, to take effective, appropriate, and proportionate measures against illegal content. This should be done, however, in full compliance with the Charter of Fundamental Human Rights, especially the right to freedom of information and freedom of expression.

Providers should detect and delete illegal content at an early stage; they should not only react, but also develop proactive procedures to prevent illegal content. Providers should also cooperate closely with Member States and among themselves in order to be able to help smaller, economically weaker companies in particular. For the latter reason, transparency is of enormous importance, as is the installation of safeguards. For example, although the Commission proposes the creation of automated procedures, it calls for human monitoring and verification. Those whose content has been deleted should also have the opportunity to challenge such deletion. For these reasons, the Commission recommends that the providers publish regular reports in order to clarify what content will be deleted.

In addition to the above, the so-called one-hour rule is to apply to terrorist content, which carries the imminent risk of a possible radicalization of users. According to this rule, terrorist content is to be deleted within one hour, as most damage is caused during this time.

In order to verify the effectiveness of the procedures, the Commission recommends that Member States submit reports to the Commission every three months on removals, the work of hosting services, and on

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cooperation. In addition, three months after the publication of the Recommendation, Member States should share with the Commission all relevant information on terrorist content. After six months at the latest, Member States should then report all relevant information on illegal content in general. The Commission will then decide whether it intends to take further measures, including specific legislative measures.

A [FAQ](#) and a [Fact-Sheet](#) accompany the Recommendation. They summarise the essential issues and show the Security Union's course to date in the area of online content.

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