

EP Adopts Position on Proposed Regulation of Terrorist Content Online



eucrim

European Law Forum: Prevention • Investigation • Prosecution

News

Thomas Wahl

The Commission proposal for a Regulation on preventing the dissemination of terrorist content online of September 2018 (see [eucri](#)m 2/2018, 97-98 and the article by *G. Robinson*, [eucri](#)m 4/2018, p. 234) underwent scrutiny by the Union legislators, i.e., the Council and the European Parliament. Both institutions proposed [several amendments](#). The start of trilogue negotiations is expected after the new European Parliament becomes operational in autumn 2019 following the May 2019 elections.

The proposed EU legislation is addressed to hosting service providers operating in EU territory. They will be obliged to take down terrorist content or disable access to it within one hour of receiving a removal order from the authorities. If they fail to comply, they may be liable to a penalty of up to max. 4% of their global turnover for the previous year. In addition, they are to apply certain duties of care to prevent the dissemination of terrorist content on their Internet platforms and to take proactive measures.

The Council already agreed on its [general approach](#) at the beginning of December 2018 (see [eucri](#)m 4/2018, 199).

At first reading, the plenary of the European Parliament adopted a [legislative resolution on 17 April 2019](#). It backs the position elaborated by *Daniel Dalton* (UK, European Conservatives and Reformists Group) as the main rapporteur in the LIBE committee. Essential amendments compared to the Commission proposal relate to purpose and scope of the Regulation, the definition of terrorist content, due diligence obligations and removal orders, proactive measures, transparency obligations, and sanctioning.

MEPs clarified that the new EU legislation does not entail a general monitoring obligation for online platforms and does not force them to use filters. MEPs also stressed that the new rules must safeguard free speech and press freedom.

AUTHOR

Thomas Wahl

Senior Researcher
Max Planck Institute for the
Study of Crime, Security and
Law

ISSN: 1862-6947



About eucri

eucri

m is the leading journal which regularly informs about current developments in European criminal and “criministrative” law.

All news items are freely accessible at: [Stay informed by emailing to \[The project is co-financed by the \\[Union Anti-Fraud Programme \\\(UAFP\\\)\\]\\(#\\), managed by the \\[European Anti-Fraud Office \\\(OLAF\\\)\\]\\(#\\).\]\(mailto:eucrim-subscribe@csl.mpg.de to receive alerts for new releases of issues.</p></div><div data-bbox=\)](https://eucrim.eu/news/</p></div><div data-bbox=)



Co-funded by
the European Union