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*(Information)*

## COUNCIL

## RESOLUTION OF THE COUNCIL AND OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL

of 17 February 1997

on illegal and harmful content on the Internet

(97/C 70/01)

THE COUNCIL OF THE EUROPEAN UNION AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

Having regard to the Treaty establishing the European Community,

Having regard to the request to the Commission following the informal meeting of Ministers of Telecommunications and Ministers of Culture and Audiovisual Affairs held in Bologna on 24 April 1996 to produce a summary of problems posed by the rapid development of Internet, and to assess, in particular, the desirability of Community or international regulation,

Having regard to the informal meeting of Ministers of Justice and Home Affairs on 26 and 27 September 1996 in Dublin which discussed further cooperation between Member States to combat trade in human beings and sexual abuse of children, and stressed the importance of three action projects,

Having regard to the conclusions on paedophilia and the Internet of the Council held on 27 September 1996, which agreed to the extension of the Working Party established following the Bologna meeting to representatives of Ministers of Telecommunications as well as to access and service providers, content industries and users with a view to presenting concrete proposals/possible measures taking account also of United Kingdom measures to combat the illegal use of Internet or similar networks, in time for the Council of 28 November,

Having regard to the proposal for a charter for international cooperation on the Internet placed before the OECD by France,

Having regard to the session of the Council of 8 October, at which the need for further analysis of the

issues underlying development of information society policy internationally and the need for coordination between initiatives relating to the subject was recognized, and the German proposal to host an international conference dedicated to this end to be prepared in close cooperation with the Commission and Member States was welcomed,

Having regard to the declaration of the Council and of the Ministers for education meeting within the Council of 20 December 1996 on protection of children and countering paedophilia<sup>(1)</sup>,

Having regard to the Commission's undertaking to submit to the Dublin European Council in December 1996 an updated version of the 'Europe's way to the information society' action plan in order to clarify the coherence of the various steps undertaken,

Noting the recent communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions on illegal and harmful content on the Internet, and the Commission Green Paper on the protection of minors and human dignity in audiovisual and information services, both of which will have to be considered in greater detail,

Recalling the positive benefits offered by the Internet in particular in education, by empowering citizens, lowering the barriers to the creation and distribution of content and offering wide access to even richer sources of digital information,

Recalling the need to combat illegal use of the technical possibilities of Internet in particular for offences against children,

<sup>(1)</sup> OJ No C 7, 10. 1. 1997, p. 12.

1. WELCOME the report of the Commission Working Party on illegal and harmful content on the Internet and undertake to consider the proposals in that report taking into account further discussions on the Commission communication on illegal and harmful content on the Internet and on the Green Paper on the protection of minors and human dignity in audio-visual and information services;
  2. TAKE INTO ACCOUNT the work accomplished in the field of justice and home affairs;
  3. SUGGEST that special attention continue to be paid by the Commission and Member States to coordination of the efforts of groups working in all the relevant fields;
  4. INVITE the Member States to start with the following measures:
    - encourage and facilitate self-regulatory systems including representative bodies for Internet service providers and users, effective codes of conduct and possibly hot-line reporting mechanisms available to the public;
    - encourage the provision to users of filtering mechanisms and the setting up of rating systems; for example the PICS (platform for internet content selection) standard launched by the international World-Wide-Web consortium with Community support should be promoted;
    - participate actively in the International Ministerial Conference to be hosted by Germany and encourage attendance by representatives of the actors concerned;
  5. REQUEST the Commission, as far as Community competences are concerned, to:
    - ensure the follow-up and the coherence of work on the measures suggested in the abovementioned report, taking into account other relevant work in this field and to reconvene the Working Party as necessary to monitor progress and take further initiatives if appropriate;
    - foster coordination at Community level of self-regulatory and representative bodies;
    - promote and facilitate the exchange of information on best practice in this area;
    - foster research into technical issues, in particular filtering, rating, tracing and privacy-enhancing, taking into account Europe's cultural and linguistic diversity;
    - consider further the question of legal liability for Internet content;
  6. RECOMMEND that the Commission, in the framework of Community competences, and Member States take all necessary steps to enhance the effectiveness of the measures referred to in this resolution through international cooperation building on the results of the International Ministerial Conference and in discussions in other international forums.
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