Council of the European Union: Austrian Initiative to Combat Child Pornography on the Internet

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Based on the provisions of the Treaty on European Union concerning police and judicial co-operation in criminal matters, the Republic of Austria recently proposed an initiative to combat child pornography on the Internet. The text, presented to the Council of the European Union for adoption as a Decision, follows numerous existing documents on this subject and contains various measures which are to be implemented by the Member States on 31 December 2000 at the latest.

Firstly, Internet users are to be encouraged to inform law enforcement authorities about any suspected distribution of child pornography material on the Internet: it may be necessary to set up specialised units (within law enforcement authorities) with the necessary expertise and resources to be able to deal swiftly with relevant information. In addition, each Member State must notify (via the General Secretariat of the Council) the other Member States of points of contact set up on a 24-hour basis and staffed by knowledgeable personnel; existing channels for communication such as Europol and Interpol should also be used.

The initiative also stipulates that Member States should engage in "constructive dialogue with industry" and examine appropriate (voluntary or legally binding) measures to eliminate child pornography on the Internet (eg the duty of Internet providers to withdraw child pornography material from circulation unless otherwise specified by the competent authorities). Member States should also co-operate, in contact with the industry, by sharing their experiences and encouraging, as far as possible, the production of filters and other technical means to prevent the distribution of child pornography material and to make possible the detection thereof.

Finally, Member States should check regularly whether technological developments require changes to national criminal procedural law.

Initiative der Republik Österreich zur Annahme des Beschlusses des Rates zur Bekämpfung der Kinderpornographie im Internet, Amtsblatt der Europäischen Gemeinschaften C 362 vom 16. Dezember 1999, Seiten 8-10.

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Initiative of the Republic of Austria with a view to adopting a Council Decision to combat child pornography on the Internet, Official Journal of the European Communities C 362, 16 December 1999, pp.8-10.

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