



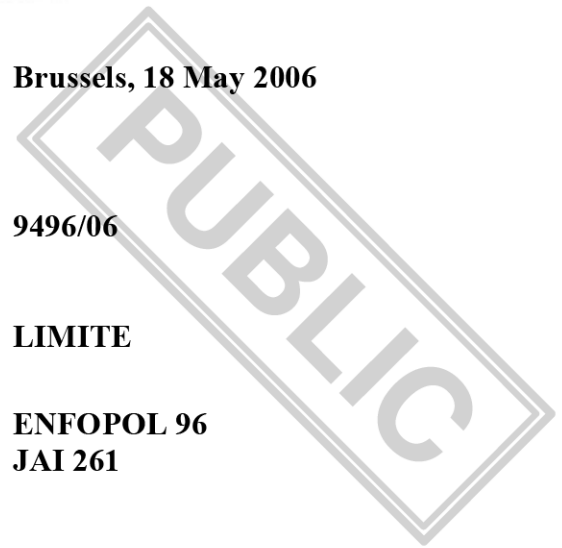
**COUNCIL OF
THE EUROPEAN UNION**

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LIMITE

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NOTE

from :	German Delegation
to :	The Article 36 Committee
Subject :	Proposals of the German Delegation regarding EU co-operation to prevent terrorist use of the Internet ("Check the Web")

1. Background

At its extraordinary meeting on 21 September 2001, the Council of the European Union noted that terrorism represents a true challenge for the world and for Europe and that fighting terrorism will be one of the European Union's highest priorities. The bombings in Madrid on 11 March 2004 and in London on 7 and 21 July 2005 demonstrated the need for a number of joint measures within the EU in order to fight terrorism.

Internet use by terrorist organizations has assumed a prominent role and is especially troubling given the Internet's global reach. Terrorists use the Internet for a variety of purposes, such as radicalization, recruitment, training and covert transmission of information. "Terror handbooks" contain directions for making bombs and explosive devices and preparing attacks and hostage-taking.

The EU has reacted, taking a series of counter-terrorism measures. With regard to a strategy for combating the radicalization and recruitment of terrorists, the Council has emphasized that MS activities to fight terrorist use of the Internet must be supplemented and flanked by measures at EU level. In doing so, it is possible in part to build on measures and experience gained at EU level in fighting child pornography and racism.

Furthermore, in its communication concerning terrorist recruitment: addressing the factors contributing to violent radicalization, the European Commission announced measures to prevent unlawful content from being published on the Internet, in order to fight the sources of radicalization and violence.

As part of its mandate, Europol monitors and evaluates terrorist websites.

The Austrian Presidency and Europol organized a seminar on this issue, held on 28-29 March 2006. At the seminar, it was clear that terrorists' increasing misuse of the Internet demands a number of – co-ordinated – measures.

2. Objective

Only a rigorous effort to fight terrorist use of the Internet can strike at the backbone of terrorism. To do so, numerous Internet sites in a wide variety of languages must be monitored, evaluated and, if necessary, blocked or closed down. This requires enormous technical and staff resources. But the large number of websites in use stretches national and international resources, both quantitatively and qualitatively, especially with regard to the language skills needed to evaluate websites. Individual Member States are hardly able to cover all suspicious terrorist-related activities on the Internet. For this reason, the monitoring and evaluation of Internet sites should be intensified by means of co-ordinated sharing of tasks among the Member States, taking into account the special language and subject competence of the individual Member States' security authorities. In order to be able to identify terrorist activities on the Internet as early as possible, a new form of task-sharing co-operation among the Member States and including Europol is needed. EU measures need to be combined, and the activities by the various actors (Member States, the Commission, Europol, Eurojust, SitCen and others) need to be precisely co-ordinated and/or expanded.

It is therefore necessary to

- compile an overview of planned measures and those already taken,
- develop specific measures for the task-sharing evaluation of Internet sites, with assistance from Europol, and take joint action against illegal content, and
- implement the measures in a timely fashion.

To achieve this objective, a methodology should be developed for implementing the necessary legal and operational counter-measures and ensuring that these measures are implemented, by setting specific deadlines and designating the responsible actors.

3. Methodology

The project should provide for co-ordinated evaluation of Internet sites and for a joint approach against illegal content. The individual modules of Internet evaluation, ranging from setting up a network of contact points and sharing lists of Internet links to task-sharing evaluation, should be expanded step by step. To combat illegal content, steps extending from information-sharing and legal options to carrying out concerted action should be planned.

For this reason, the following steps appear to be necessary in order to take targeted and task-sharing action at EU level with the involvement of Europol against terrorist use of the Internet:

1. Co-ordinated Internet evaluation involving Europol:

- Setting up a network of contact points
- Sharing lists of Internet links
- Collecting information on personnel and technical resources and methods
- Developing best practices
- Identifying regional or thematic priorities
- Discussing options for a co-ordinated, task-sharing system of evaluation
- Setting up a co-ordinated, task-sharing system of evaluation

2. Joint approach against illegal content:

- Sharing information on legal options for blocking or closing down Internet sites
- Sharing information on actual options for blocking or closing down Internet sites
- Reporting on operational measures taken against specific information providers
- Planning and carrying out concerted actions
- Co-operating with providers

The proposed modules have been specified in a project plan in the form of a “living document” (see Annex), which includes a tentative schedule, a list of steps already taken and those still needed for implementation, and indicates which players are needed to take such action.

4. Next steps

The Article 36 Committee is requested to give its approval to the proposed project plan and to forward this plan to the Committee of Permanent Representatives for approval by the Justice and Home Affairs Council.

LIVING DOCUMENT

**Project Plan on EU co-operation to prevent terrorist use of the Internet
"CHECK THE WEB"**

Objective: Coordinated Internet evaluation

	Project Step	Status	Next Steps	Player	Timeline
1.	Setting up a contact network	Discussion in G5 expert meetings (2005)	a. Central contact points to be designated by the Member States (MS). b. Meeting of the contact points to set up the network	Europol	a. June 2006 b. September 2006
2.	Sharing lists of Internet links	To date at informal level, but exchange has not yet been systematic	a. Combining all MS lists of Internet links into one comprehensive list b. Determining a procedure for regular exchange and comparison of link lists.	Europol	a. July 2006 b. September 2006
3.	Information on technical resources and methods	-	a. Expert seminar on existing technical infrastructures	MS (German initiative planned)	July 2006
4.	Information on staff resources	-	a. Questionnaire on staff resources b. Evaluating responses to the questionnaire	Europol	a. July 2006 b. October 2006
5.	Developing best practices	Seminars by FR, DE and Europol (2005).	Expert exchange, e.g. on methods of pre-evaluation and analysis	Europol in co-operation with MS	Autumn 2006
6.	Identifying regional or thematic priorities	-	a. Questionnaire on regional or thematic priorities b. Evaluating questionnaire responses	MS, Europol, SitCen	a. July 2006 b. October 2006
7.	Discussing the options for a co-ordinated, task-sharing system of evaluation	-	Seminar on the options for co-ordinated, task-sharing system of evaluation with adoption of guidelines	MS (German initiative planned)	October 2006
8.	Setting up a co-ordinated, task-sharing system of evaluation	-	a. Draft resolution for the JHA Council on setting up a co-ordinated, task-sharing system of evaluation. b. Adoption of the resolution	a. MS (German initiative planned) b. Council	a. December 2006 b. March 2007

Objective: II. Joint approach against illegal content

	Project Step	Status	Next Steps	Player	Timeline
1.	Exchange on the legal options for blocking or closing down Internet sites	Occasional informal discussions in bodies of the G5, EU and G8.	Sharing information on the legal options for blocking or closing down Internet sites	European Commission	July 2006
2.	Exchange on the factual options for blocking or closing down Internet sites	-	Sharing information on the factual options for blocking or closing down Internet sites	MS, SitCen	September 2006
3.	Information on operational measures against specific information providers	-	Reports by the MS on upcoming operational measures and measures already carried out	MS, Europol	October 2006
4.	Planning and carrying out concerted action	-	Concerted action to block Internet sites	Europol, MS	December 2006
5.	Co-operation with providers	-	a. Drafting of guidelines for providers within the framework of a PPP b. Draft of recommendations of the Council on guidelines for providers c. Adoption of recommendations	a. COM/Germany b. COM c. Council	a. Early 2007 b. February 2007 c. May 2007