

**Proposal for a directive**  
**Recital 13**

*Text proposed by the Commission*

(13) Child pornography, which constitutes *sex abuse images*, is a specific type of content which cannot be construed as the expression of an opinion. To combat it, it is necessary to *reduce the circulation of child abuse material by making it more difficult for offenders to upload such content onto the publicly accessible Web. Action is therefore necessary to remove the content at source and apprehend those guilty of making distributing or downloading child abuse images.* The EU, in particular through increased cooperation with third countries and international organisations, should seek to facilitate the effective removal by third country authorities of websites containing child pornography, which are hosted in their territory. However *as*, despite such efforts, the removal *of child pornography content at its source proves to be difficult* where the original materials are not located within the EU, *mechanisms should also be put in place to block access from the Union's territory to internet pages identified as containing or disseminating child pornography. For that purpose, different mechanisms can be used as appropriate, including facilitating the competent judicial or police authorities to order such blocking, or supporting and stimulating Internet Service Providers on a voluntary basis to develop codes of conduct and guidelines for blocking access to such Internet pages. Both with a view to the removal and the blocking of child abuse content*, cooperation between public authorities *should be established and strengthened*, particularly in the interest of ensuring that national lists of websites containing child pornography material are as complete as possible and of avoiding duplication of work. Any such *developments* must *take account of the*

*Amendment*

(13) Child pornography, which constitutes *child abuse material*, is a specific type of content which cannot be construed as the expression of an opinion. To combat it, it is necessary to *ensure as quickly as possible the full removal at source of Internet pages containing or disseminating child pornography or child abuse material and to identify the offenders to start procedures against them, as the investigation and prosecution of such crimes should be a priority. Any webpage originating from an EU Member State and containing sexual abuse material of children should be removed.* The EU, in particular through increased cooperation with third countries and international organisations *and with the help of bilateral or multilateral agreements*, should seek to facilitate the effective removal by third country authorities of websites containing child pornography *or child abuse material*, which are hosted in their territory, *as well as concurrent criminal prosecution of persons who placed such content on or distributed it over the internet. In that regard international cooperation between judicial and police authorities should be strengthened and reporting points put in place.* However, *should* despite such efforts the removal *at source of Internet pages containing or disseminating child pornography or child abuse material prove impossible to achieve* where the original materials are not located within the EU, *either because the State where the servers are hosted is not willing to cooperate or because the procedure for removal of the material in the State concerned proves to be particularly long, Member States may take the necessary measures in accordance with national legislation to prevent access to such*

rights of the end users, adhere to *existing* legal and judicial procedures and comply with the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union. The Safer Internet Programme has set up a network of hotlines whose goal is to collect information and to ensure coverage and exchange of reports on the major types of illegal content online.

*content in their territory. These measures preventing access to internet pages containing or disseminating child pornography or child abuse material should be subject to strengthened* cooperation between public authorities, particularly in the interest of ensuring that national lists of websites containing child pornography *or child abuse* material are as complete as possible and of avoiding duplication of work. Any such *measure* must *be in accordance with national legislation, respect* the rights of the end users, adhere to legal and judicial procedures and comply with the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union. The Safer Internet Programme has set up a network of hotlines whose goal is to collect information and to ensure coverage and exchange of reports on the major types of illegal content online.