Combat child pornography on the Internet. Initiative Austria

1999/0822(CNS) - 22/03/2000

The committee unanimously adopted the report by Timothy KIRKHOPE (EPP/ED, UK) approving the Council decision subject to a number of amendments. The committee felt that special police units in every EU country should systematically scan the internet for child pornography material in order to combat child pornography actively - it was not enough to react to offences that had already come to light if effective action was to be taken against child pornography on the internet. The report also set an age limit of 16 years to define what should be considered as child pornography. The committee felt that the Council decision should be more binding and that the measures proposed should not be left to Member States' discretion. It also set out to tighten up the definition of child pornography offences, with a provision saying "the production, sale and distribution or other forms of trafficking in child pornography material and the possession of such material is punishable". However, "possession shall be punishable only where it is the result of an intentional or deliberate act or (...) where possession is deliberately retained". Otherwise people surfing the internet and inadvertently hitting a site featuring child pornography might be punishable as well. Pornographic depictions of people posing as children and virtual pornographic material should also be considered an offence. Cooperation between Member States' police forces through Europol was deemed important, but the establishment of national registers was seen as more comprehensive and more effective than a central register at Europol headquarters. The draft Council decision envisaged a dialogue with the internet industry and in this connection Parliament's committee proposed that providers be compelled to enable e-mail users to be identified.