Basic information

2002/0086(CNS) CNS - Consultation procedure Decision	Procedure completed
Criminal judicial cooperation: attacks against information systems and communication networks. Framework Decision Repealed by 2010/0273(COD) **Subject** 3.30.25 International information networks and society, internet 7.40.04 Judicial cooperation in criminal matters	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Citizens' Freedoms and Rights, Justice and Home Affairs	CEDERSCHIÖLD Charlotte (PPE-DE)	23/05/2002

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs and Internal Market	The committee decided not to give an opinion.	
ITRE Industry, External Trade, Research, Energy	CAPPATO Marco (NI)	04/06/2002

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2642	2005-02-24
Justice and Home Affairs (JHA)	2489	2003-02-27

European Commission

Commission DG	Commissioner
Justice and Consumers	

Key events

Date	Event	Reference	Summary
19/04/2002	Legislative proposal published	COM(2002)0173	Summary
13/06/2002	Committee referral announced in Parliament		

02/10/2002	Vote in committee		Summary
02/10/2002	Committee report tabled for plenary, 1st reading/single reading	A5-0328/2002	
21/10/2002	Debate in Parliament		
22/10/2002	Decision by Parliament	T5-0495/2002	Summary
27/02/2003	Debate in Council		Summary
24/02/2005	Act adopted by Council after consultation of Parliament		
24/02/2005	End of procedure in Parliament		
16/03/2005	Final act published in Official Journal		

Technical information

Procedure reference	2002/0086(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Amendments and repeals	Repealed by 2010/0273(COD)
Legal basis	Treaty on European Union (after Amsterdam) M 029 Treaty on European Union (after Amsterdam) M 034-p2 Treaty on European Union (after Amsterdam) M 031 Treaty on European Union (after Amsterdam) M 030-p1
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/5/16198

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A5-0328/2002	02/10/2002	
Text adopted by Parliament, 1st reading/single reading		T5-0495/2002 OJ C 300 11.12.2003, p. 0026-0152 E	22/10/2002	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2002)0173 OJ C 203 27.08.2002, p. 0109 E	19/04/2002	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act
Justice and Home Affairs act 2005/0222 OJ L 069 16.03.2005, p. 0067-0071 Summary

Criminal judicial cooperation: attacks against information systems and communication networks. Framework Decision

2002/0086(CNS) - 27/02/2003

The Council, pending to some parliamentary scrutiny reservations and without prejudice of the examination of the opinion of the European Parliament, reached a common approach on the Framework Decision on attacks against information systems. The Council considered that this is a very important instrument as there is a growing and worrying concern of organised criminals using communication networks to launch attacks against information systems for their own purposes.

Criminal judicial cooperation: attacks against information systems and communication networks. Framework Decision

2002/0086(CNS) - 19/04/2002 - Legislative proposal

PURPOSE: to approximate the laws on attacks against information systems. CONTENT: whilst the European Union is undoubtedly benefiting from electronic communication networks and information systems, as with other global economies, it is vulnerable to attack through the well recognised phenomenon of cyber crime. It is possible to launch an attack from anywhere in the world, to anywhere in the world, at any time. New, unexpected forms of attacks could occur in the future. Essentially speaking the objectives of this Council Framework Decision is to approximate criminal law in the area of attacks against information systems and to ensure the greatest possible police and judicial co-operation in the area of criminal offences related to attacks against information systems. For the purpose of this proposal, information systems include "stand alone" personal computers, personal digital organisers, mobile phones, intranets and extranets and the networks servers and other infrastructures of the Internet. The Decision will limit itself to addressing the following crimes: 1. Unauthorised access to information systems (hacking). 2. Disruption of information systems (denial of service). 3. Execution of malicious software that modifies or destroys data. 4. Interception of communication. 5. Malicious misrepresentation. The legal basis of the Decision will rest on Articles 29, 30 (a), 31 and 34(2)(b) of the TEU and will have no financial implications on the EU's budget.

Criminal judicial cooperation: attacks against information systems and communication networks. Framework Decision

2002/0086(CNS) - 22/10/2002 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Charlotte CEDERSCHIOLDE (EPP-ED, Germany) on attacks against information systems. (Please refer to the document dated 02/10/02.) With regard to information campaigns, Parliament inserted a clause stating that the commission must take the initiative with a view to raising awareness among citizens, business and the public sector concerning security risks on electronic communication networks. It went on to stipulate that conduct is not unlawful where a person has a right, by contract or by law to operate an information system.

Criminal judicial cooperation: attacks against information systems and communication networks. Framework Decision

2002/0086(CNS) - 24/02/2005 - Final act

PURPOSE: to approximate the laws on attacks against information systems.

LEGISLATIVE ACT: Council Framework Decision 2005/222/JHA.

CONTENT: The Council adopted a Framework Decision on attacks against information systems.

The objective of this Framework Decision is to improve cooperation between judicial and other competent authorities responsible for law enforcement in the Member States, by approximating rules on criminal law in the Member States in the area of attacks against information systems and ensuring that such attacks are punishable by effective, proportional and dissuasive criminal penalties in all Member States.

The specific crimes covered by the Directive are:

1) Unauthorised access to information systems (hacking).

2) Disruption of information systems (denial of service).

3) Execution of malicious software that modifies or destroys data.

4) Interception of communication.

5) Malicious misrepresentation.

Member States are required to take the necessary measures to ensure that illegal access to an information system and interference with the integrity of an information system or of its data are punishable as criminal offences.

Given that information systems are the subject of attacks, particularly from organised crime, and the increasing potential for terrorist attacks against information systems which form part of the critical infrastructure of the Member States, a response at the level of the Member States is required to avoid compromising the achievement of a safer Information Society and an Area of Freedom, Security and Justice.

ENTRY INTO FORCE: 16/03/2005.

DATE OF IMPLEMENTATION: 16/03/2007.