Basic information

2008/2160(INI) INI - Own-initiative procedure	Procedure completed
Strengthening security and fundamental freedoms on the Internet **Subject** 3.30.25 International information networks and society, internet	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties, Justice and Home Affairs	LAMBRINIDIS Stavros (PSE)	31/01/2008

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
CULT Culture and Education	MAVROMMATIS Manolis (PPE-DE)	16/07/2008

European Commission

Commission DG	Commissioner
Justice and Consumers	BARROT Jacques

Key events

Date	Event	Reference	Summary
11/06/2008	Non-legislative basic document published	B6-0302/2008	Summary
04/09/2008	Committee referral announced in Parliament		
17/02/2009	Vote in committee		Summary
25/02/2009	Committee report tabled for plenary	A6-0103/2009	
25/03/2009	Debate in Parliament		
26/03/2009	Decision by Parliament	T6-0194/2009	Summary
26/03/2009	Results of vote in Parliament		
26/03/2009	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2160(INI)
Procedure type	INI - Own-initiative procedure
Legal basis	Rules of Procedure EP 134o-p3
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/6/64355

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Non-legislative basic document		B6-0302/2008	11/06/2008	Summary
Committee opinion	CULT	PE415.317	20/01/2009	
Committee draft report		PE416.306	21/01/2009	
Amendments tabled in committee		PE419.843	29/01/2009	
Committee report tabled for plenary, single reading		A6-0103/2009	25/02/2009	
Text adopted by Parliament, single reading		T6-0194/2009	26/03/2009	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2009)3245	08/10/2009	

Strengthening security and fundamental freedoms on the Internet

2008/2160(INI) - 11/06/2008 - Non-legislative basic document

PURPOSE: to present a European Parliament recommendation to the Council on strengthening security and fundamental freedoms on the Internet.

CONTENT: this proposal was tabled pursuant to Rule 114(1) of the Rules of Procedure by Stavros Lambrinidis on behalf of the PES group.

The Parliament notes that the Internet has become a key instrument at world level for exercising freedom of expression and developing business activities. These circumstances make it crucial for the combating of crime and abuses of public and personal powers not to limit the potential of that instrument. The worldwide scope, rapid development and specific technical characteristics of the Internet make it difficult to supervise through national legislation alone.

Therefore, initiatives should be taken, not least at international level, to protect the rights of individuals in terms not only of their security but also of their freedoms and the protection of their private lives.

The European Parliament addresses the following recommendations to the Council:

- facilitate a gradual alignment in the EU of national legislation concerning the requirements relating to the protection of fundamental rights on the Internet;
- take steps to intensify the dialogue between national and European legislators and between national and European courts;
- promote the dialogue between all those involved in and affected by the Internet, and particularly Internet operators and users;
- promote conclusion of the necessary international agreements, both at a bilateral (and notably Transatlantic) level and at a multilateral level (CoE, OECD and UN initiatives).

This recommendation should be forwarded to the Council and, for information, to the Commission.

Strengthening security and fundamental freedoms on the Internet

2008/2160(INI) - 26/03/2009 - Text adopted by Parliament, single reading

The European Parliament adopted by 481 votes to 25, with 21 abstentions, a resolution on strengthening security and fundamental freedoms on the Internet. This is the first recommendation from the MEPs concerning the fight against cybercrime and the rights of surfers: freedom of association and expression, non-discrimination and access. Members note that on the Internet, freedom of expression and privacy can at the same time be both better enhanced and more exposed to intrusions and limitations by both private and public actors. Furthermore, Parliament is also concerned with the idea that e-illiteracy will be the new illiteracy of the 21st Century. Ensuring that all citizens have access to the Internet is therefore equivalent to ensuring that all citizens have access to schooling.

The European Parliament addresses a series of recommendations to the Council on the following issues:

Full and safe access to the Internet for all: recommendations include participating in efforts to make the Internet an important tool for the empowerment of users, an environment which allows the evolution of 'bottom up' approaches and of e-democracy, while at the same time ensuring that significant safeguards are established as new forms of control and censorship can develop in this sphere.

The Council needs to ensure that security, freedom of expression and the protection of privacy, as well as openness on the Internet, are approached not as competing goals, but instead are delivered simultaneously within a comprehensive vision that responds adequately to all these imperatives. Parliament ensures that the **legal rights of minors** to protection from harm, as prescribed by the UN Convention on the Rights of the Child and as reflected in EU law, are fully reflected in and across all relevant actions, instruments or decisions relating to strengthening security and freedom on the Internet.

Strong commitment to combating cyber crime: the Presidency of the Council and the Commission are invited to **develop a comprehensive strategy to combat cybercrime**, pursuant to the Council of Europe Convention on Cybercrime, including ways in which to address the issue of "identity theft" and fraud at EU level in cooperation with both Internet providers and user organisations, as well as the police authorities dealing with IT-related crime. Parliament calls for the creation of an **EU desk for assistance to victims of identity theft** and identity fraud, and invites the Council to proceed to the adoption of the directive on criminal measures aimed at the enforcement of intellectual property rights. It also urges Member States to update legislation to protect children using the Internet, in particular in order to criminalise grooming (online solicitation of children for sexual purposes).

Constant attention to the absolute protection and enhanced promotion of fundamental freedoms on the Internet: the Council needs to consider that **"digital identity"** is increasingly becoming an integral part of our 'self' and in this respect deserves to be protected effectively from intrusions by both private and public actors – thus, the particular set of data that is organically linked to the "digital identity" of an individual should be defined and protected, and all its elements should be considered inalienable personal, non-economic and non-tradable rights.

Parliament invites the Council to recognise the danger of certain forms of Internet surveillance and control aimed also at tracking every 'digital' step of an individual, with the aim of providing a profile of the user and of assigning 'scores'. Such techniques should always be assessed in terms of their necessity and their proportionality in the light of the objectives they aim to achieve. It emphasises also the need for an enhanced awareness and **informed consent of users** with respect to their e-activities involving the sharing of personal data (for instance in the case of social networks).

The Council should examine and prescribe **limits to the 'consent'** that can be requested of and extracted from users, whether by governments or by private companies, to relinquish part of their privacy, as there is a clear imbalance of negotiating power and of knowledge between individual users and such institutions.

Member States that intercept and monitor data traffic, regardless of whether that applies to their own citizens or to data traffic from abroad, should do so under the strict conditions and safeguards provided by law.

Member States must ensure that **freedom of expression** is not subject to arbitrary restrictions from the public and/or private sphere and to avoid all legislative or administrative measures that could have a "chilling effect" on all aspects of freedom of speech**.**

International undertakings: the Council should exhort all Internet players to engage in the on-going process of **"Internet Bill of Rights**," which builds on existing fundamental rights, promotes their enforcement, and fosters the recognition of emerging principles. In this respect the dynamic coalition on the Internet Bill of Rights has a leading role to play.

Furthermore, the Council should recognise that the global and open nature of the Internet requires global standards for data protection, security and freedom of speech. Parliament calls on Member States and the Commission to take the initiative for the drawing up of such standards.