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CENTER FOR
DEMOCRACY
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DIGITALEUROPE



EDiMA

EuroISPA



ispa
Internet Service Providers Austria

Brussels, 5 April 2019

Dear Members of the European Parliament Civil Liberties, Justice and Home Affairs Committee,

We, the undersigned organisations, are writing to you ahead of the Committee vote on the proposal on Preventing the Dissemination of Terrorist Content Online on Monday 8th April with an urgent concern which we would like to bring to your attention.

While we welcome that the Committee has improved the initial text, we regret that Compromise Amendment 4 still makes the untenable requirement to remove content within one hour from receipt of removal orders. Hosting service providers cooperate and work together with civil society and enforcement agencies to do their utmost at removing and preventing the dissemination of harmful and terrorist content. An inflexible and rigid provision however could have unintended consequences both on European users' fundamental rights and on the Internet ecosystem.

This extremely short deadline, coupled with onerous sanctions, would entail over-removal of lawful content which will negatively impact the freedom of expression and related fundamental rights of European users. Similar concerns have been expressed by the three UN Special Rapporteurs in their [joint opinion](#) and by the [European Union Agency for Fundamental Rights](#).

Furthermore, the proposed timeframe does not take into account the size and economic capacity of hosting service providers. European small and medium-sized enterprises not operating a 24/7 service, for instance, would not be able to comply with removal orders being sent outside of working hours.

We would therefore like to **urge you to opt for the Alternative Compromise Amendment 4**, which follows a more pragmatic approach and would mandate hosting service providers to **execute removal orders "as soon as possible"**. Such an amendment would be compliant with European citizens' fundamental rights and protect the competitiveness of digital businesses, while ensuring a good framework of cooperation between hosting service providers and Member States to tackle the dissemination of terrorist content online.

Sincerely,

Allied for Startups - <http://alliedforstartups.org/>

Bitkom - <https://www.bitkom.org/EN>

Computer & Communications Industry Association (CCIA) – www.cccianet.org

Center for Democracy and Technology (CDT) – <https://cdt.org/>

DigitalEurope - <https://www.digitaleurope.org/>

eco - Association of the Internet Industry - <https://international.eco.de/>

EDiMA – <http://edima-eu.org>

EuroISPA, the pan-European association of Internet Services Providers Associations – www.euroispa.org

Finnish Federation for Communications and Teleinformatics (FiCom) - <https://www.ficom.fi/english>

ISPA Austria - <https://www.ispa.at/english.html>