

## The EU and Illegal Content on Online Platforms

The recommendation on measures to effectively tackle illegal content online was adopted by European Commission in March 2018.

Today, 1 million EU businesses are already selling goods and services via online platforms, and more than 50% of small and medium enterprises selling through online marketplaces sell cross-border.

The Commission's work is motivated by concerns that the removal of illegal content online continues to be insufficiently effective - [incitement to terrorism](#), [illegal hate speech](#), or [child sexual abuse material](#), as well as infringements of [Intellectual Property rights](#) and [consumer protection online](#) need to be tackled across the EU with determination and resolve.

In setting out clear legal guidance in the form of a Recommendation, the Commission has made clear which types of processes platforms should put in place, in order to speed up the detection and removal of illegal content, and thus curb the spread of such material, while also offering a set of robust safeguards.

[Online platforms](#) need to exercise a greater responsibility in content governance. The European Commission is making sure that platforms treat their users fairly and take action to limit the spread of illegal content online.

The recommendation proposes a common approach to swiftly and proactively detect, remove and prevent the reappearance of content online:

- **Clearer 'notice and action' procedures:** Companies should set out easy and transparent rules for notifying illegal content, including fast-track procedures for 'trusted flaggers'. To avoid the unintended removal of content which is not illegal, content providers should be informed about such decisions and have the opportunity to contest them.
- **More efficient tools and proactive technologies:** Companies should set out clear notification systems for users. They should

have proactive tools to detect and remove illegal content, in particular for terrorism content and for content which does not need contextualisation to be deemed illegal, such as child sexual abuse material or counterfeited goods.

- **Stronger safeguards to ensure fundamental rights:** To ensure that decisions to remove content are accurate and well-founded, especially when automated tools are used, companies should put in place effective and appropriate safeguards, including human oversight and verification, in full respect of fundamental rights, freedom of expression and data protection rules.
- **Special attention to small companies:** The industry should, through voluntary arrangements, cooperate and share experiences, best practices and technological solutions, including tools allowing for automatic detection. This shared responsibility should particularly benefit smaller platforms with more limited resources and expertise.
- **Closer cooperation with authorities:** If there is evidence of a serious criminal offence or a suspicion that illegal content is posing a threat to life or safety, companies should promptly inform law enforcement authorities. Member States are encouraged to establish the appropriate legal obligations.

Member States and companies have to submit relevant information on the removal of **terrorist content** within three months, and **illegal content** within six months.

There are available more than 10 most frequently asked questions regarding the Recommendation on measures to effectively tackle illegal content (MEMO/18/1170).

General public inquiries: [Europe Direct](#) by phone [00 800 67 89 10 11](#)