Dear Ministers,
Dear Ambassadors,

We, the undersigned, welcome the aim of the draft Regulation on preventing the dissemination of terrorist content online (the 'Proposal') to improve the effectiveness of the fight against such content. Terrorist content is unequivocally unacceptable offline and online, and positive results have been achieved from stakeholders' voluntary initiatives, as acknowledged by the European Commission.

Over the past few months and with the benefit of experience, we have suggested ways to amend this Proposal to ensure that the approach taken is effective, proportionate and compliant with the European Charter of Fundamental Rights. As the European Parliament has only recently started its review of the Proposal, we regret the recent endorsement by COREPER and urge the European Council to take the necessary time to thoughtfully address these outstanding concerns.

In particular, we are concerned about the "one-size-fits-all" approach of the Proposal that does not recognize the reality that different types of services may require individual responses. We would recommend the adoption of a narrower scope, reduced to hosting services where there is a real risk of propagation of terrorist content - thereby excluding, for instance, cloud infrastructure service providers that do not have access to customer content and cloud providers (including business to business cloud services) that do not share content to the

general public. Some of the Proposal's requirements, e.g. the one-hour turnaround time for the takedown of content, present also operational challenges for SMEs.

We also strongly recommend the deletion of the provisions requiring hosting service providers to monitor and filter data for the removal of terrorist content across the Internet. This requirement, coupled with unworkable deadlines and high penalties, would lead to abundant removals by strongly incentivising hosting service providers to suppress potentially legal content. The automatic and proactive removal of terrorist content across the Internet might also hamper some investigations of terrorist organisations by law enforcement agencies. Therefore, cooperation between law enforcement agencies and halting terrorist content production at the source should also be addressed.

To conclude, the clarification of some definitions is also crucial for achieving the aim of this Proposal. 'Competent Authorities' and their powers should be clearly and narrowly defined. This is necessary when fundamental rights such as freedom of expression and privacy are at stake. The definition of terrorist content should also be reconciled with the recent Directive 2017/541 on combating terrorism, with clear exceptions for educational, documentary, scientific or artistic content.

We hope to have the opportunity to continue our dialogue with the Council in the upcoming months.

Bitkom
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Computer and Communications Industry Association (CCIA)
CCIA is an international, nonprofit association representing a broad cross section of computer, communications and Internet industry firms. CCIA remains dedicated, as it has for over 40 years, to promoting innovation and preserving full, fair and open competition throughout our industry. For more, please go to: www.ccianet.org

DIGITALEUROPE
DIGITALEUROPE represents the digital technology industry in Europe. Our members include some of the world's largest IT, telecoms and consumer electronics companies and national associations from every part of Europe. DIGITALEUROPE wants European businesses and citizens to benefit fully from digital technologies and for Europe to grow, attract and sustain the world's best digital technology companies. For more, please go to: http://digitaleurope.org

eco - Association of the Internet Industry
With over 1,000 member companies, eco is the largest Internet industry association in Europe. Since 1995, eco has been instrumental in shaping the Internet, fostering new technologies, forming framework conditions, and representing the interests of members in politics and international committees. eco's key topics are the reliability and strengthening of digital infrastructure, IT security, and trust, ethics and self-regulation. That is why eco advocates for a free, technologically-neutral, and high-performance Internet. For more, please go to https://www.eco.de

EDiMA
EDiMA is the European trade association representing online platforms and other innovative tech companies. It is an alliance of new media and Internet companies whose members include Airbnb, Allegro, Amazon EU, Apple, eBay, Expedia, Facebook, Google, King, Microsoft, Mozilla, Oath, OLX, Snap Inc., TripAdvisor, Twitter, Veon Digital and Yelp. EDiMA's members provide Internet and new media platforms offering European consumers a wide range of online services, including e-content, media, e-commerce, communications and information/search services. For more, please go to: http://edima-eu.org/

EuroISPA – The pan-European association of Internet Services Providers Associations
EuroISPA is the world's largest association of Internet Services Providers (ISPs) representing the interests of more than 2500 ISPs across the EU and the EFTA countries. EuroISPA is a major voice of the Internet industry on information. For more, please go to www.euroispa.org

ISPA Austria
ISPA Austria is the voice of the Austrian Internet industry and was founded in 1997 as a non-profit association which represents the interests of more than 200 members from all sectors around the Internet industry as a voluntary interest group. Our goal is to shape the economic and legal framework supporting the optimal development of the Internet and Internet services. For more, please go to https://www.ispa.at/

SAPIE, the Slovak Alliance for innovation economy
Founded in Bratislava in 2014, SAPIE is the largest innovative alliance in Slovakia. We are a leading forum for debate on digital economy and innovation in Slovakia. We act as a neutral, independent and non-profit platform connecting more than 60 innovative companies. We are committed to building collaborative networks of private and public actors, creating national and regional partnerships and advocating for innovation. For more, please go to http://sapie.sk/