



Notification Number: 2015/57/F

Decree relating to the delisting of websites inciting or condoning acts of terrorism and websites disseminating pornographic images or representations of minors

Date received : 05/02/2015

End of Standstill : 19/02/2015

Invocation of the Emergency Procedure : Yes

Message

Message 002

Communication from the Commission - TRIS/(2015) 00311

Directive 98/34/EC

Translation of the message 001

Notification: 2015/0057/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201500311.EN)

1. Structured Information Line

MSG 002 IND 2015 0057 F EN 05-02-2015 F NOTIF

2. Member State

F

3. Department Responsible

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PARIS Cedex 13
d9834.france@finances.gouv.fr
tél : 01 44 97 24 55

3. Originating Department

Ministère de l'intérieur,



Direction des libertés publiques et des affaires juridiques,
11 rue des saussaies, 75008 Paris.
Courriel : dlpaj-questions-penales@interieur.gouv.fr

4. Notification Number

2015/0057/F - SERV

5. Title

Decree relating to the delisting of websites inciting or condoning acts of terrorism and websites disseminating pornographic images or representations of minors

6. Products Concerned

Operators of search engines or directories

7. Notification Under Another Act

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8. Main Content

This decree must be issued pursuant to Article 6-1 of Law No 2004-575 of 21 June 2004 on confidence in the digital economy, as amended by Article 12 of Law No 2014-1353 of 13 November 2014 strengthening the provisions relating to the fight against terrorism. This decree specifies the procedure to ask operators of search engines or directories to remove websites inciting or condoning acts of terrorism and websites disseminating pornographic images or representations of minors: the Ministry of the Interior shall send operators of search engines or directories the list of web addresses of online public communication services failing to comply with the provisions of the Penal Code, so that they may remove the websites in question within forty-eight hours. Regarding the procedures relating to financial compensation allocated by the State to operators of search engines or directories in respect of the cost of implementing this procedure, this decree refers to the decree relating to the blocking of websites inciting or condoning acts of terrorism and websites disseminating pornographic images or representations of minors, previously submitted to the Commission.

9. Brief Statement of Grounds

Law No 2014-1353 of 13 November 2014 strengthening the provisions relating to the fight against terrorism, previously notified to you, now provides the authorities with the possibility to remove websites inciting or condoning acts of terrorism through its amendment of Article 6 of Law No 2004-575 of 21 June 2004 on confidence in the digital economy, and its creation of Article 6-1. The purpose of this draft decree is to make the provisions of Article 12 of Law No 2014-1353 applicable.

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): - Law No 2014-1353 of 13 November 2014 strengthening the provisions relating to the fight against terrorism (Notification No 2014/291/F)

- Decree relating to the blocking of websites inciting or condoning acts of terrorism and websites disseminating pornographic images or representations of minors (Notification No 2015/010/F)

The basic texts were forwarded with earlier notifications: 2014/291/F: 2015/010/F



11. Invocation of the Emergency Procedure

Yes

12. Grounds for the Emergency

Taking into account the increase in reported phenomena of radicalisation via Internet usage, the envisaged provisions are of an urgent nature relating to the protection of public order and particularly the protection of minors, in accordance with Article 9(7) of Directive 98/34/EC.

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

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16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.

SPS aspect

No - the draft has no significant impact on international trade.

European Commission

Contact point Directive 98/34

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