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**COMMUNICATION FROM THE COMMISSION
TO THE COUNCIL, THE EUROPEAN PARLIAMENT,
THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE
AND THE COMMITTEE OF THE REGIONS**

**concerning the evaluation of the Multiannual Community Action Plan on promoting
safer use of the Internet and new online technologies by combating illegal and harmful
content primarily in the area of the protection of children and minors**

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(Text with EEA relevance)

Introduction

This Communication concerns the evaluation of the Safer Internet Action Plan 1999 - 2002 referred to in this communication as "the programme".

The objective of the programme, as specified in the European Parliament and Council Decision¹, was promoting safer use of the Internet and encouraging, at European level, an environment favourable to the development of the Internet industry.

The programme covered the four-year period from January 1999 to December 2002 with a reference budget of 25 million euro. The programme was implemented through three main action lines:

- creating a safer environment (creating a European network of hot-lines and encouraging self-regulation and codes of conduct);
- developing filtering and rating systems;
- encouraging awareness actions.

During the years 1999 – 2002, 37 projects were co-financed, involving over 130 different organisations. Two service contracts were concluded for advice to self-regulatory bodies and for exchange of information about best practices².

The Decision was amended by Decision No. 1151/2003/EC of the European Parliament and of the Council of 16 June 2003³ extending the duration of the programme until 31 December 2004, increasing the indicative budget by 13.3 million euro and making a number of changes to the title and scope of the programme and to its implementing actions.

The Decision as amended provides in article 6(4) that at the end of four years, the Commission shall submit to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, once the committee referred to in Article 5 has examined it, an evaluation report on the results obtained in implementing the

¹ Decision no 276/1999/EC of the European Parliament and of the Council of 25 January 1999 adopting a Multiannual Community Action Plan on promoting safer use of the Internet by combating illegal and harmful content on global networks (OJ L 33, 6.2.1999, p. 1).

² see the www.selfregulation.info and www.saferinternet.org Web sites.

³ OJ L 162, 1.7.2003, p. 1.

action plan. The Commission may present, on the basis of those results, proposals for adjusting the orientation of the action plan.

The evaluation was carried out by Technopolis Ltd (UK) contracted on the basis of public invitations to tender issued by DG Information Society in July 2002⁴. The evaluation was conducted in the period January to June 2003. The evaluation report is annexed to this Communication.

Evaluation objectives

The evaluation assessed the following specific issues: relevance of the programme's objectives, priorities and means of implementation, the effectiveness and impact of the programme, its efficiency and cost effectiveness, its utility and sustainability, causal links from resources used through to activities and presumed impacts (the intervention logic) and lessons to be learnt for possible future interventions of a similar type.

Key evaluation findings

The evaluators recognised the positive impact of the current programme, particularly in fostering networking and providing a wealth of information about the problems of safer use of the Internet and their solutions.

The extension to the programme for 2003 - 2004 takes into account many of the conclusions which arose from the evaluation. The reorientation of the Action Plan in this extension is firmly supported by the results of the evaluation, particularly the concentration on additional forms of content, such as racism, and the introduction of actions targeted at new forms of communication such as peer-to-peer and 3G mobile phone technology.

Detailed findings

More specifically it was concluded that:

Stakeholders agree that the **programme's original objectives, priorities and means of implementation still apply**, and that the **action lines are appropriate mechanisms** for the fulfilment of the objectives.

The evaluators conclude that the European networking of the hotlines is extremely important. The programme has done a good job in producing a number of filtering software products although take-up of rating needs to be increased and not all stakeholders agree that filtering is the best approach to child protection. Awareness-raising remains an important focus. The developments in relevant societal, regulatory and technical areas have been taken into account. The programme is actively integrating itself with other community activities at the policy level.

At the policy level, the programme has **been successful in putting the issues of developing a safer Internet firmly on the agenda** of the EU and the Member States. The **foresight of the European Commission in identifying these issues early on in the development of the Internet should be recognised**.

⁴ OJ S 133-103748, 11.7.2002.

At action-line level, the Commission has instigated the development of a network of hotlines in Europe with associated members in the US and Australia, funded research into tackling awareness-raising with a variety of end users, stimulated the development of filtering, taking into consideration the cultural and linguistic diversity of Europe and supported the development of an international rating system. The impact of some projects, particularly filtering, will still take time to assess properly.

The EC style of project bringing together a range of organisations from different cultures and national backgrounds is particularly useful on this type of programme and produces networking and knowledge oriented impacts.

The programme has been successful in linking up stakeholders to produce a 'community of actors', although there should be **greater involvement of industry** as well as self-regulation organisations and consumer groups.

Recommendations

The evaluation report makes a number of recommendations under the following headings: Relevance; Effectiveness and Impact; Efficiency and Effectiveness; and Utility and Sustainability; here follows the Commission's reactions to the main recommendations

Relevance

1 Recommendations: Extend emphasis/objectives to encompass new and emerging communication technologies that will in particular influence children's use of the Internet (e.g. 3G mobile telephones). Review the Action Line on filtering and rating. Continue to move towards networks of nodes for awareness-raising in the Member States.

Commission comment: Dealt with in the 2003 - 2004 second phase of the programme. This specifically extends the programme's coverage to include new technologies such as 3G mobile telephones, moves the focus of funding in the area of content filtering towards benchmarking of filtering software and services so as to provide objective information for end users, and sets up a European network of nodes for awareness-raising.

2 Recommendation: The problems associated with trying to achieve a safer Internet are global. The Commission should continue to engage with actors external to the European Union.

Commission comment: The Commission will use the Safer Internet Forum in the 2003 - 2004 second phase of the programme as a platform for contacts external to the European Union. Network co-ordinators will have international relations among their tasks.

Effectiveness and Impact:

3. Recommendation: The programme should encourage wider involvement of ISPs and other relevant industry players.

Commission comment: The Commission agrees. Hotlines already have strong industry input. The current awareness projects which are using a "node" approach have been successful in attracting industry support, and this approach will be generalised through networking

awareness actions in the next round of projects in 2003 - 2004. The Safer Internet Forum will include among its members ISP and other relevant industry players.

4. Recommendation: A wealth of information and material has already been produced within the projects and should be made widely available.

Commission comment: The Safer Internet Action Plan official web site provides information of the programme and links to the main projects web sites. Additionally, the saferinternet.org Web site gives "one-stop" access to the project results. This will continue as a task for the awareness network co-ordinator.

5. Recommendation: Consideration should be given to reviewing the existing instruments in light of the dynamic nature of creating a safer Internet.

Commission comment: The main representation which the evaluators received about the current instruments came from non-governmental organisations (NGOs), and were directed at the co-funding rule. Co-funding is required for good reasons: it increases the project's budget resources, it demonstrates the commitment of the contractor and the support the contractor has in its local community (where the co-funding is raised from other sources than the contractor's own resources) and it is an indicator of the sustainability of a project.

6. Recommendation: The programme should focus where it is likely to have the most impact which is at the European/International level through networking and multipliers.

Commission comment: Agreed, this is the thinking behind the approach taken in the 2003 - 2004 phase of the programme.

Efficiency and Effectiveness:

7. Recommendation: The European Commission should review the administrative procedures in order to harmonise the approach with the types of projects to be funded.

Commission comment: The Commission is bound to use the instruments provided and to administer them in accordance with the legal basis decided by the Community legislator. The procedures are designed to ensure proper monitoring of projects and use of the European taxpayer's money.

8. Recommendation: The Action Plan should address how it is going to reconcile funding new hotlines in Candidate countries as well as existing hotlines on the same budget.

Commission comment: The budget for hotlines in 2003 - 2004 has been increased, in a way that it should permit continuation of funding of the existing hotlines and the launch of new ones in acceding countries.

9. Recommendation: There should continue to be a market watch on issues relating to the law, regulation and codes of conduct.

Commission comment: These issues will be covered under the Safer Internet Forum

Utility and sustainability

10. Recommendation: The Commission should substantially review the implementation and support mechanisms proposed for any future actions in this area. Specifically, the Action Plan needs to address issues of the sustainability of the hotlines and have a more appropriate funding model for them particularly in light of enlargement.

Commission comment: The Commission is particularly conscious of the need to ensure that the investment already made in safer use of the Internet continues to bear fruit and that maximum European value-added is obtained in any further action in this area by encouraging networking of initiatives in Member States.

CONCLUSION

The Commission takes note of the findings and recommendations of the evaluation report on the programme. In the light of the Commission's responses, it invites the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions to:

- (1) Continue their support for the role of the programme in promoting safer use of the Internet and new online technologies during 2003 - 2004;
- (2) Continue an active debate on combating illegal and harmful content primarily in the area of the protection of children and minors.

ANNEX

Final Evaluation of
the Safer Internet Action Plan

Final report

Conducted for the European Commission

Technopolis Ltd

June 2003

1. EXECUTIVE SUMMARY⁵:

1.1 Background

This document is the final report of the final evaluation of the Safer Internet Action Plan (IAP). The analysis, conclusions and recommendations put forward by the evaluators are based on information gathered from source documents of the Internet Action Plan and its projects, telephone interviews with key stakeholders, attendance at a number of key IAP events and a survey of the project participants. Nine case studies were also conducted. These covered eight projects (the brief was to undertake six, but the structure of the hotlines meant that it was more interesting to look at the “umbrella” hotline project and in addition, a selection of those hotlines funded under the umbrella or associated with it) and 3 analogous projects external to the programme.

The evaluation findings will largely be used for accountability purposes, with a focus on the achievement of the Safer Internet Action Plan objectives as set out in the Decision and in the 1999-2002 work programme, its impact and cost-effectiveness.

The specific issues to be evaluated were set out as follows :

relevance of the Action's objectives, priorities and means of implementation

the effectiveness and impact of the Action

its efficiency and cost effectiveness

its utility and sustainability

causal links from resources used through to activities and presumed impacts (the intervention logic)

lessons to be learnt for possible future interventions of a similar type.

The study aimed to come up with meaningful conclusions on the overall performance of the programme with regard to all the relevant points. Taking into account the important activities of the European Commission in this field, it aimed to provide solid and pragmatic policy recommendations on the basis of the findings of the evaluation and the input of all the stakeholders involved in the project.

1.2 The Safer Internet Action Plan

The aim of the Safer Internet Action Plan was to ensure the implementation of the various European Union initiatives dealing with illicit or inappropriate content on the Internet..To this end, the Action was designed to support non-regulatory initiatives for promoting safer use of the Internet.

The Decision establishing the Action set out a number of measures grouped into four Action Lines

⁵ Full report available at <http://europa.eu.int/iap>

1. Creating a safer environment
 - creating a European network of hotlines
 - encouraging self-regulation and codes of conduct
2. Developing filtering and rating systems
 - demonstrating the benefits of filtering and rating
 - facilitating international agreements on rating systems
3. Encouraging awareness actions
 - preparing the ground for awareness actions
 - encouraging implementation of full-scale awareness actions
4. Support actions
 - assessing legal implications
 - coordination with similar international initiatives

The overall funding for the Safer Internet Action Plan was €25 million over the period 1999-2002.

Within the Action Lines, the programme had three main types of activity

- Support for projects, generally in the form of financial support of a proportion of the costs, usually involving some element of transnational partnership. The duration of the projects varied but was generally between one and two years.
- Service contracts – 100% funded activities in support of the Action Plan let to external organisations.
- Support Actions aimed at the overall objectives and mainly promoted or carried out by the Commission itself.

The projects naturally represent most of the expenditure under the Safer Internet Action Plan.

1.3 Main conclusions and recommendations

The results of the evaluation are presented in full in Chapter Five of the report. The following gives an overview of the main conclusions and recommendations.

During the course of this evaluation, the process of approving the extension to the Safer Internet Action Plan has been under way. This was approved by the European Parliament (voting on 11 March 2003) and the Council (voting on 26 May 2003)⁶. The extended Safer Internet Action Plan includes measures to encourage exchange of

⁶ OJ L 162, 1.7.2003, p. 1.

information and co-ordination with the relevant actors at national level, and has special provisions for accession countries. Actors in the field of self-regulation will be brought together through a Safer Internet Forum, modelled on the EU cyber-crime forum. The extended Action Plan covers many different types of illegal content or conduct including racist material, and takes account of new online technologies such as mobile and broadband content, online games, peer-to-peer file transfer and all forms of real-time communications such as chat rooms and instant messages. The networks of hotlines continue to be key instruments of the programme, alongside the benchmarking of filtering software and the development of awareness nodes.

This extension to the Safer Internet Action Plan already takes into account many of the conclusions which arose from the evaluation, and thus have not been reiterated in our recommendations, which focus rather on other issues or on any future action following the current extension. However, the reorientation of the Action Planned in this extension is firmly supported by the results of the evaluation, particularly the concentration on additional forms of content, such as racism, and the introduction of actions targeted at new forms of communication such as peer-to-peer and 3G.

1.3.1 Relevance

Conclusions

- There was general consensus from stakeholders and participants that the Action's original objectives, priorities and means of implementation still apply and in some cases are more of an issue now than at the start of the Action Plan.

The Action Lines were considered to be appropriate mechanisms for the fulfilment of the objectives.

- There was a wide range of opinions from stakeholders and participants as to what should (and could) be covered by the Action Plan given the resources available to it.
- The European networking of the hotlines was considered to be extremely important by those interviewed.
- In terms of filtering software, the Action Plan has done a good job in producing a number of products. However, there were some views that this was a limited approach to the problem and also that they have not yet had enough uptake, particularly the rating.
- There was broad agreement that awareness-raising remains an important focus for the Action Plan but that the focus of awareness-raising activities should be on education.
- The developments in relevant societal, regulatory and technical areas have been taken into account through the projects funded under the Action Lines.
- In terms of complementarity, the programme is actively integrating itself with other community activities at the policy level.

- Stakeholders stress that the problems associated with trying to achieve a safer Internet are global and there should be continued effort to engage with markets/providers external to Europe.

Recommendations

Continue to monitor and react to the fast changing environment ahead of the game.

Extend emphasis/objectives to encompass new and emerging communication technologies that will in particular influence children's use of the Internet (e.g. 3G mobile telephones).

Recognise the global nature of the provider base/problem and continue to engage with actors external to the European Union including the Candidate countries, Russia and the Ukraine.

Review the Action Line on filtering and rating.

Continue to move towards networks of nodes for awareness-raising in the Member States.

1.3.2 Effectiveness and Impact

Conclusions

There was consensus from the stakeholders that the Safer Internet Action Plan had contributed significantly to putting the issue on the Agenda. In simple terms a number of actions exist that did not exist earlier.

The respondents highlighted a number of specific impacts that have occurred as a consequence of the Safer Internet Action Plan, the majority being network and knowledge oriented.

In the case of hotlines, although the establishment of the network was already happening under the Daphne programme, the proliferation of new hotlines has been achieved in almost all Member States (with the exception of Portugal and currently Luxembourg).

Although filtering was already happening in the US, Europe had very few examples at the start of the Action Plan. There are now multilingual, multicultural, European filtering solutions. For rating there was no standard classification such as ICRA which includes over 40 different content categories.

However, wide spread implementation of filtering and rating remains an issue. The Action Plan has successfully produced a number of outputs that need to be translated into impacts. This is not a static area and new solutions may be required in the future to meet the challenges of new technologies – however, there is scope for these types of activities to be done through shared cost R&D projects.

If the Action Plan had a weakness in its implementation, stakeholders felt that this was the involvement of industry. Also the communication across the different Action Lines appeared to be weak.

The EC style of project which brings together a range of organisations from different cultures and national backgrounds is particularly useful on this type of programme as it allows shared experience and good practice as well as assisting those countries with lower Internet penetration to anticipate future problems and legislate for them. There also needs to be more involvement of self-regulation standards in Member States and consumer groups.

A wide range of different stakeholders have been effectively targeted by the Safer Internet Action Plan:

- At the policy level, the Action Plan has been successful in putting the issues of developing a safer Internet firmly on the agenda of the EU and the Member States.
- At industry level, the Action Plan has successfully involved a number of ISPs and content providers in being more responsible for a safer Internet. However there are still countries where ISPs have little involvement.
- At the legal and advisory level, the Action Plan has linked up with stakeholders through the projects and through national committees. There are numerous active links with national police forces and with agencies such as Interpol and Europol.

At the intermediary and multiplier level, the Action Plan has been successful in linking up these organisations with the other stakeholders to produce a ‘community of actors’. The programme is experiencing a much wider input from national stakeholders than previously noted at the intermediate evaluation stage.

Recommendations

The programme should continue to encourage the involvement of ISPs and other relevant industry players, particularly in EU Member States (and Candidate countries) where there is currently little participation.

The programme should take note of the wealth of information and material that has already been produced within the projects and other actions and make it widely available.

Consideration should be given to reviewing the existing instruments in light of the dynamic nature of creating a safer Internet.

The programme should focus where it is likely to have the most impact which is at the European/International level through networking and multipliers.

1.3.3 Efficiency and effectiveness

Conclusions

- The funding model for the projects is not well adapted to the types of projects that have been funded under the Safer Internet Action Plan. The three main Action Lines have very distinct delivery mechanisms that do not fit with the typical model of R&D funding.

- The value of the review process was considered to be high by the majority of the participants responding. However, there was an indication from project participants that the reviewers appeared to be ill prepared at the start of the programme – although this seems to have improved.
- From the case study interviews there appears to be some issues with large project consortium in terms of efficiency. This particularly related to awareness-funded projects.
- However, the experience of the projects in forming transnational partnerships was generally favourable. Many of them were working with organisations they already knew, but a significant number of new contacts were made. A particular feature of the Action Plan has been the bringing together of disparate organisations such as child protection NGOs and software development houses and ISPs – organisations with very different aims and cultures.
- In terms of value for money, the stakeholder interviews indicated that the hotlines are seen to have been a good investment. The filtering projects are less universally supported – the final judgement can only be made once the issue of take-up is clear, which is not yet the case. For the awareness projects the judgement is even more fragmented and varies from project to project. In terms of the external project reviews, the general view has been favourable. Again, the real value will be in terms of the impact of the work, which has not yet been realised.

Recommendations

The European Commission should review the administrative procedures in order to harmonise the approach with the types of projects to be funded.

The Action Plan should address how it is going to reconcile funding new hotlines in Candidate countries as well as existing hotlines on the same budget.

There should continue to be a market watch on issues relating to the law, regulation and codes of conduct.

1.3.4 Utility and sustainability

Conclusions

- The rationale underpinning the action is still relevant:
 - There continue to be new technological developments in communication, new platforms and more methods of exchanging illicit information.
 - Governments, both national and International are continuing to promote the wider uptake of the Internet as key to economic growth and to society. Therefore more adults and children will have access to the Internet.

There is not a consistent approach to the creation of a Safer Internet at the Member State level and coordination of activities also varies enormously.

Evidence suggests that many of the hotlines would have gone ahead regardless of funding from the European Commission, although they would have been set up more slowly. However, the international networking of hotlines is crucial to their effectiveness.

The foresight of the European Commission in identifying these issues early on in the development of the Internet should be recognised. They have instigated the development of a network of hotlines in Europe with associated members in the US and Australia, they have funded research into tackling awareness-raising with a variety of end users, they have stimulated the development of filtering, taking into consideration the cultural and linguistic diversity of Europe and have supported the development of an International rating system.

The issue needs to be addressed at an international level, as well as by Member States. There is therefore a clear justification for continuing the activity begun under the Safer Internet Action Plan. However, this does not mean that it has to fund the same issues or use the same instruments.

Recommendations

The Commission should substantially review the implementation and support mechanisms proposed for any future actions in this area.

Specifically, the Action Plan needs to address issues of the sustainability of the hotlines and have a more appropriate funding model for them particularly in light of enlargement.