



European
Commission

Terrorist content online

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The Terrorist Content Online Regulation responds to the need to tackle **online content disseminated by terrorists** in order to spread their message, to radicalise and recruit followers, and to facilitate and direct terrorist activity. Recent terrorist attacks perpetrated on EU soil, such as the attacks in France in October 2020, are strong reminders of how **terrorist content online plays a role in the planning and carrying out of terrorist attacks**. Pictures of the attack carried out against Professor Paty in Conflans shared online have inspired similar actions in Nice only few days later.

Terrorist Content Online Regulation provides a legal framework to ensure that hosting service providers, that make content available to the public, address the misuse of their services for the dissemination of terrorist content online. Online platforms will be obliged to **remove terrorist content upon receiving a removal order** from Member States' authorities within one hour and to take measures when their platforms are exposed to terrorist content.

Key elements of the regulation

DEFINITION OF HOSTING SERVICE PROVIDERS

The Regulation applies to **all hosting service providers offering services within the EU**, insofar as they disseminate information to the public. These are types of online platforms that include: providers of social media, video, image and audio-sharing services.



DEFINITION OF TERRORIST CONTENT

The definition of terrorist content is aligned with the **definition of terrorist offences** set out in the Directive on combating terrorism and applies to material that:

- **solicits** someone to commit or to contribute to terrorist offences, or to participate in activities of a terrorist group,
- **incites** or advocates terrorist offences, such as by glorification of terrorist acts.
- **provides** instruction on how to conduct attacks.

Such material includes text, images, sound recordings and videos, as well as live transmissions of terrorist offences that cause a danger of further such offences being committed.



THE ONE-HOUR RULE

Terrorist content is **most harmful in the first hours** after its appearance. The new Regulation obliges online platforms to stop the dissemination of such content as early as possible.

1 hour



EU-WIDE REMOVAL ORDERS

The competent authority of each Member State can issue a removal order to any online platform established in the EU, requiring them to **remove or to disable access to terrorist content in all Member States**.

Removal orders must contain **justifications** as to why the material is considered to be terrorist content, including detailed information on how to challenge the removal order.



SPECIFIC MEASURES BY ONLINE PLATFORMS

Online platforms must take proactive measures when they are exposed to terrorist content. The measures they take will depend on the level of exposure and their size and capabilities as well as resources. The measures must be applied with **effective safeguards to protect fundamental rights, in particular freedom of speech**.

There is no obligation to use automated tools to identify or remove content. Where platforms choose to use such tools, they need to ensure human oversight and publicly report on their functioning.





SAFEGUARDS TO PROTECT FUNDAMENTAL RIGHTS

Strong safeguards are put in place to ensure that **freedom of speech** is protected:

- Both Member States and hosting services providers will have to issue **annual transparency reports** on the measures taken to remove terrorist content, and on any erroneous removals of legitimate speech online.
- Where content is removed, the **user will be informed** and provided with information to contest the removal.
- **Complaint mechanisms** to ensure that content that has been removed erroneously can be reinstated as soon as possible
- Content providers and online platforms can request a **review of the removal order** before the relevant authorities or seek judicial redress in courts in the respective Member States.
- Content disseminated for **educational, journalistic, artistic or research purposes** is exempted. The exemption will also apply to content disseminated to raise awareness against terrorist activity.

PENALTIES

- Sanctions of non-compliance will **depend on the nature and size of the platforms** to ensure penalties for small, medium and micro enterprises are proportionate.
- Financial penalties can be up to 4% of the platform's turnover.

